

Precarious work in higher education

November 2016 update

Key points:

- Data from the Higher Education Statistics Agency (HESA) from 2014/15, the latest available, show that at least 53% of all academics employed in the sector are on some form of insecure contract.
- The richest and most prestigious universities are the worst offenders with rates of insecurity in the Russell Group at 58.5%.
- Many of these teaching staff are employed as 'workers', paid by the assignment, on lower pay rates and with fewer employment rights.
- UCU is calling on the government to improve the reporting of the employment of casualised staff in the sector and for more universities to work with the union to negotiate better jobs and greater job security for the highly skilled professionals who teach our students.

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Precarious and insecure work in higher education

Jobs are precarious for two reasons. Firstly because the contracts can be of short duration. Many fixed-term contracts are of one year in duration. A good number are for nine months. Staff employed on these contracts don't know what the next year will bring and need to spend a lot of their time seeking the next contract. A recent survey of research staff conducted by UCU found that around a third of contract researchers estimated they spent 25% of their funded time working towards their next contract, time that could have been spent on the research they were contracted to conduct.

But precariousness is also about income and hours of work. Some teaching staff are paid by the hour but employed on permanent contracts. These staff are often no less precarious because they are only paid for the work they do and many of them have variable-hour or zero-hours contracts. Work can shrink or diminish or even disappear entirely and with it goes their income. The precarious population can't be reduced to one contract form or another. Precariousness is something that comes with a range of different contracts all of which share a common feature. Employers view permanent employment as too costly or risky and use insecure contracts to offload that risk onto staff. Employers use a dizzying array of different contracts to achieve the same end: fixed-term employment contracts; zero-hours employment contracts; variable hours hourly-paid contracts; hourly-paid contracts with set hours and so on. Many also use 'banks' of staff taken on through contracts for services. Workers providing contracts for services don't have the same access to maternity or redundancy rights, for example, as employees.¹

Who are the precarious workers?

There are three broad categories of casualised or precarious workers in higher education.

1. The first is PhD students who teach during their studies as part of their attempts to begin an academic career. In pre-92 research intensive universities in particular, this can be a very large category.
2. The second category is comprised of professionals substantively employed elsewhere but who do teaching in their field on the side to boost their incomes or because they enjoy it. Some universities with strong vocational or professional pathway subjects do employ large numbers of these staff, often termed 'Visiting Lecturers'. This is the category that the employers and their representatives like to talk about because it takes the debate away from people struggling to make a career and towards people who are not dependent on them for a living.
3. The third category is those who are substantively employed on limited term or precarious contracts and dependent on these for their living. This encompasses

¹ This report is an update of the more detailed report from April 2016, 'Precarious work in higher education: a snapshot of insecure work and institutional attitudes; (https://www.ucu.org.uk/media/7995/Precarious-work-in-HE/pdf/ucu_precariouscontract_hereport_apr16.pdf) which used HESA data from 2013/14.

contract research staff – including those on so-called open-ended contracts whose employment is dependent on short-term funding - and teaching staff on fixed-term or hourly-paid contracts.

Employers like to emphasise the degree of choice and agency available to workers on casual or as they like to call them 'flexible' contracts, but it is obvious that your enjoyment of choice and flexibility will be shaped by which category you are in. A typical academic career trajectory, for example, involves moving from hourly-paid teaching as part of a PhD to hourly-paid teaching as substantive employment, often with another university, with possible fixed-term contracts afterwards. For many academics, this is where the road ends. They have to accept a lifetime of precariousness as they piece together short-term contracts, or look for employment elsewhere.

The scale of the issue

Scandalously, we simply don't know the real scale of precarious employment in UK higher education. We don't know the scale of each of the three constituencies above and we don't know what kinds or lengths of contracts they are on. Although we have a body that collects statistics – the Higher Education Statistics Agency (HESA), it only collects information on the balance of fixed-term contracts as against open-ended contracts and on the use of 'Atypical' contracts – those which are not 'employment' contracts and have a high level of flexibility. HESA does not collect information on the length or type of contracts or on the use of hourly-paid staff and it does not compel institutions to report their data on Atypical staff in a consistent way.

So what is the real situation? While it's impossible to be exact, we can say with some certainty that precarious work is a much bigger issue than universities want you to know.

Measuring precarious work through the HESA data

Simply using the latest HESA data, with all its problems and under-reporting, and combining the numbers employed on fixed-term contracts with atypical contracts and then working this out as a percentage of all three staff groups, we can say that, at least 53% of all academics employed in the sector are on some form of insecure contract.

Table 1: insecure work in the university sector – an overview

Total academics (open-ended, fixed-term and atypical academic staff)	273,898
Total open-ended or permanent contracts	128,302
Total fixed-term contracts	70,034
Total atypical academic contracts	75,562
Percentage working on insecure contracts	53.2%

Source: HESA data analysed by UCU

On our website, we have published updated ranking tables that enable you to see the level of insecurity in each university and higher education institution in the sector (<https://www.ucu.org.uk/article/8154/Precarious-contracts-in-HE---institution-snapshot>).

However, an analysis which breaks down universities by their broad mission group is helpful as it allows comparison of similar institutions. It also reveals that the richest and most prestigious universities have some questions to answer.

The richest universities are the worst offenders

Precarious work is common to all university types though it assumes different forms. What is perhaps most shocking is the fact that the problem is most acute in the richest and most prestigious universities in the UK.

The levels of insecurity in Russell Group universities, for example, are far higher than at post-92 universities.

Table 2: Mission Groups and insecure contracts

Mission group marker	Open-ended/ Permanent	Fixed-term	Atypical	Total academic staff (OEC/FTC/ Atypical)	% insecure (Fixed term & atypical)
Russell Group	49,626	32,263	37,583	119,472	58.5%
Other Pre-92	28,765	20,858	15,222	64,845	55.6%
Post-92	46,481	16,282	20,974	83,737	44.5%
Other	3,430	632	1,782	5,844	41.3%
Total	128,302	70,034	75,562	273,898	53.2%

(Data from HESA. Analysis by UCU)

While Russell Group Universities will point to their research communities, nearly 70% of whom are still predominantly on fixed-term contracts, this is not the whole story.

Very large numbers of academics in these universities are being employed through 'atypical' staff arrangements. Many of these will be PhD students who teach, many of them using this teaching to fund their way through their PhDs. Many others will be people attempting to piece together a living out of bits and pieces of casual teaching.

Where there are very large numbers of atypical academic staff it can be indicative of the existence of bank worker arrangements in which academics are employed via contracts for services as 'workers'.

The Universities of **Warwick**, **Nottingham** and **Sheffield**, for example, all make use of worker contractual arrangements.

Some have experimented with temps agencies like 'Unitemps' to employ hourly paid staff, such as the **University of Leicester**. **Coventry University** has started to employ teaching staff as 'temps' via its own subsidiary company, TheFutureWorks Ltd. These staff are unlikely even to be reported to HESA.

Through these arrangements academics are employed as 'workers' akin to agency workers. They are typically paid by the 'assignment', can be hired and fired at will and do not accumulating employment rights like protection from unfair dismissal, rights to redundancy pay and access to statutory maternity and paternity pay or occupational parental leave and pay schemes. Workers are significantly cheaper to hire - and fire - than lecturing employees.

Table 3: Russell Group Universities and job insecurity

All Academic staff (Full Person Equivalent)					
HEI	Open-ended/ Permanent	Fixed-term	Atypical	Total staff	% of staff insecure (fixed-term + atypical)
The University of Oxford	2,315	4,555	3,270	10,140	77.2%
The University of Birmingham	1,825	1,685	3,075	6,585	72.3%
The University of Warwick	1,350	1,250	2,070	4,670	71.1%
Queen Mary University of London	1,180	1,025	1,600	3,805	69.0%
The University of Manchester	2,555	2,390	3,100	8,045	68.2%
The Queen's University of Belfast	1,100	600	1,760	3,465	68.2%
The University of Edinburgh	2,620	1,660	3,760	8,040	67.4%
The University of Exeter	1,170	690	1,725	3,585	67.4%
University of Durham	1,185	505	1,815	3,505	66.2%
The University of Southampton	1,760	1,235	1,690	4,685	62.4%
The University of Liverpool	1,685	1,035	1,660	4,385	61.5%

The University of York	1,165	510	1,195	2,870	59.4%
King's College London	1,865	2,645	Not reported	4,510	58.6%
The University of Bristol	1,885	1,010	1,470	4,365	56.8%
Imperial College of Science, Technology and Medicine	1,935	2,410	85	4,435	56.3%
The University of Leeds	2,115	1,180	1,355	4,645	54.5%
University of Nottingham	2,400	1,000	1,845	5,245	54.2%
The University of Sheffield	1,905	1,185	995	4,085	53.4%
University of Newcastle-upon-Tyne	1,525	1,275	415	3,215	52.6%
London School of Economics and Political Science	875	770	15	1,660	47.3%
The University of Glasgow	2,835	340	1,640	4,815	41.1%
The University of Cambridge	3,750	1,940	145	5,835	35.7%
Cardiff University	2,315	1,065	180	3,565	35.0%
University College London	6,305	295	2,710	9,310	32.3%

(Data from HESA. Analysis by UCU)

The struggle to make ends meet and build a career

Hourly rates of pay in higher education vary considerably for casualised teaching staff. For PhD students who teach, an NUS survey from 2012 showed that the average hourly rate was just under £20 but rates can be as low as £13 per hour. For experienced lecturers trying to make a living after their PhDs, rates can be between £30 and £40 per hour. But these hourly rates are misleading. Within each 'hour' is contained one teaching hour and frequently another 1.5 hours preparation and marking time.

Most hourly paid lecturers work longer hours than they are paid for. The NUS survey from 2012 claimed that on average, postgraduates are working almost twice as many hours per

week on teaching than they are actually being paid for.² Surveys of hourly paid staff generally show that staff feel they work longer hours than they are paid for.

In addition to donating significant amounts of unpaid labour to their employers, hourly paid lecturing staff can exist on very low incomes and precarious livelihoods. UCU conducted a survey of members in insecure contracts in 2015 and results in higher education revealed significant numbers of them struggling to get by.

- 40% said that they earned under £1000 per month.
- One in seven (14%) earned less than £500 per month, which places them below the Lower Earnings Limit for National Insurance Contributions.
- 17% said that they struggled to pay for food.
- One third (34%) said that they struggle to pay rent or mortgage repayments
- 36% said that they struggled to pay household bills like fuel, electricity, water and repairs.³

The single biggest thing that unites the experience of all staff on insecure contracts though is the anxiety and the inability either to build careers or plan lives that flow from insecure employment.

'It's taking a huge toll on my personal life and my health. My career is in tatters at the moment, with the huge number of hours needed to make ends meet impacting on my ability to research and publish. It's vicious circle.'

'I especially dread the summer and Easter periods as I have no idea how I will pay the rent. I plan to leave the area as soon as my son has completed his GCSEs in the hope I can find a proper job either abroad or in another part of the UK.'

Higher education lecturers quoted in 'Making Ends Meet The human cost of casualisation in post-secondary education, (UCU, 2015)

The government must do more

Students deserve to know more about what they are paying for. The government needs to do more to ensure that accurate workforce data is collected from universities.

Specifically, the government should ensure that universities are reporting on the different contracts they use and the proportion of students' tuition that is being undertaken by staff on insecure contracts.

² https://www.nus.org.uk/Global/1654-NUS_PostgradTeachingSurvey_v3.pdf

³ https://www.ucu.org.uk/media/7279/Making-ends-meet---the-human-cost-of-casualisation-in-post-secondary-education-May-15/pdf/ucu_makingendsmeet_may15.pdf

Universities can change things now - There is a better way

It is not necessary to employ people in this way. Instead of driving down staff costs to free up resources to finance their building programmes, universities need to invest more in their staff and engage in proper workforce planning.

UCU is ready to work with universities to deliver more sustainable careers for the people teaching our students and we can help deliver a better deal for staff and students:

A recent agreement between UCU and the **University of Glasgow** has led to a fall in the use of atypical contracts and a rise in the use of better fixed-term employment contracts.

An agreement at the **University of Sussex** has eradicated the use of zero hours contracts in favour of better fixed-term employment contracts for its part-time lecturers.

Universities can no longer afford to put their heads in the sand on this issue. The level of precariousness in our universities is a dirty secret that is finally now getting out. It's time the sector took real, meaningful action to build proper careers for its academic staff.

Appendix 1: UCEA: Disputing the figures – obscuring the problem

UCEA, the national body that represents university employers, has tended to try to dismiss the HESA data or spin its meaning. For example, UCEA has claimed that these staff are not really doing teaching. But this is clearly not the case. HESA's guidance to universities is quite clear that when they report on numbers of atypical academic staff they must be people engaged in academic work. Separately, in their responses to Freedom of information requests over the last few years, universities have revealed a close overlap between the use of atypical academic staff and hourly-paid and casual teachers. For example, in their response to an FOI in 2016, the University of Sheffield said that it employed more than 700 hourly paid teaching staff and 230 hourly paid research staff on contracts that guaranteed no hours of work. This maps closely onto their returns to HESA for atypical academic staff, which in 2014/15 was just over 900.

Secondly, UCEA has argued that the amount of teaching being done by atypical academics is small and falling. They have claimed this by calculating the value of the atypical academic contracts in units of 1 Full Time Equivalent staff member. Atypical academics, they claim, represent just over 3% of the total Full Time Equivalent of people teaching in the sector. But this is completely misleading. A full-time equivalent member of staff is contracted, typically, to conduct a full range of duties, including teaching, research and administration. An hourly paid lecturer is contracted for a small amount of teaching only, measured by the hours they actually spend in front of a class. They are not contracted to research or administer, nor are they paid during holidays. They frequently work significantly longer hours than they are contracted for yet because they are contracted to teach a handful of 'classroom hours' or an 'assignment, their fraction of a 'Full-time equivalent' contract will be tiny, commonly less than 1 day per week. All UCEA's figures show is that there are tens of thousands of atypical academic teachers on pitifully small contracts and they conceal the fact that these staff are providing a very large amount of teaching time for students.

Finally, far from representing a falling proportion of the workforce, the hourly paid lecturing community may well be growing. The existing data under-reports the use of hourly paid lecturers significantly. On the face of it, the number of atypical academic staff employed in the sector appear to be relatively stable and possibly even to have fallen in the last few years. But this is misleading. Last year, 36 Higher Education institutions refused or failed to return any data at all on their use of atypical academic staff. Yet we know from a separate Freedom of Information request that several of them use significant numbers of teaching staff on 'zero hours contracts'. For example, City University, which failed to supply any data to HESA, told us in 2013 that it had 1,157 teachers on zero hours contracts. Nottingham Trent likewise reported 642 and Sheffield Hallam University nearly 700 zero hours contracts. Yet not one of these reported any data to HESA on atypical staff. It is possible that the numbers of atypical academic staff in the sector are significantly larger than they appear.

In addition, as we know, this atypical data in itself only captures a fraction of the hourly paid population. Many more are on fixed-term employment contracts and concealed within the HESA data. As the number of people employed on part-time teaching only contracts grows, it may well be this is showing us a growth in hourly paid lecturing staff within the core staff records. We need to be able to see hourly paid staff more clearly within the HESA records and this is one area where UCEA have showed willingness to work together to improve the data. But the sector may still resist any attempt to improve reporting so for the time being, the hourly-paid lecturing community remains only partially visible.

Appendix 2: Methodology

UCU's report is constructed by adding together the only contract data provided by HESA, the totals of Full Person Equivalents for staff on open-ended contracts, fixed-term contracts and those on atypical contracts. 'Full-person equivalents' are HESA's method of calculating the number of individuals active in an institution, rather than the scale of their work. More detail on HESA's methodology and the difference between Full Person Equivalence [can be found here](#). The totals for those on atypical contracts and those on fixed-term contracts were then added together and calculated as a percentage of the total staffing complement to give a provider level sense of the scale of the use of insecure contracts.

UCU was in touch with HESA prior to publication and explained that we were repeating a calculation that we applied in April 2016. HESA asked us to ensure that we applied their 'rounding' methodology to the figures and raised no other issues at that time.

HESA's statement

HESA have issued a statement noting that there are problems in performing this calculation because the data for the fixed-term contract staff and that for atypical academics are collected in different ways. The numbers of full person equivalents for staff on open ended and fixed term contracts are collected on the basis of a 'census' on 1 December of each year. Because atypical staff numbers fluctuate over a year a census 'snapshot' is likely to radically underreport an institution's reliance on these staff. For this reason, HESA collect them in a different way, calculating full-person equivalents for atypical academic staff on the basis of the calendar year. HESA's view is that this makes calculations that combine the two staff groups difficult.

UCU's view is that the calculation is valid for precisely the reason that HESA collects the data in different way. Our aim is to show the number of *people* who are on insecure contracts and working for a given institution. If the numbers of atypical staff were collected through a census snapshot, it would drastically underreport the people active at an institution. If everyone were collected over a full calendar year, the numbers of staff on open-ended contracts would not change but it's likely that the numbers on fixed-term contracts would grow as many contracts are now less than one year in duration.

It's also worth noting that HESA themselves present the two sets of workforce data side by side without further comment. See for example [this table](#), in which the numbers of part-time and full-time staff for each provider, collected on the basis of census data, are presented by HESA alongside the numbers of atypical staff, collected over the course of the calendar year.

Our view is that the calculations on which this report is based are a valid method of indicating scale and starting a debate about both the size of the issue and the paucity of

existing workforce data.

Atypical academic staff

Contrary to some assertions, there is no doubt that these atypical academic staff are performing academic roles. HESA's own data shows that 99.4% of the atypical academic staff are placed in the category 'professional occupations', which is a subset of the 'academic' category. In the core staff record, this subset is used to denote the core academic staff. This **can be seen here**. Far from being 'student ambassadors' or 'student demonstrators', this is a large staff group which is engaged in academic activity.

In fact, the atypical academic staff category is generally acknowledged to contain many, but by no means all the hourly paid staff in the higher education sector. As a joint report with UCEA noted in 2015, 'the atypical definition could cover a significant amount of the hourly-paid and casual work in scope of this working group', but also 'it is known that some hourly-paid staff, particularly lecturers, are reported within the main staff record (i.e. not as atypical staff).'

<http://www.ucea.ac.uk/en/publications/index.cfm/njhpcwgr>

The use of 'Full-time Equivalence'

The response from UCEA and some Russell Group Universities to this report have been disappointing. Far from engaging with the issues raised, some have started to circulate deeply misleading calculations of their own which appear designed to attempt to brush the issue under the carpet. They have done this calculating the amount of Full-Time Equivalent work that is being done by these atypical staff and claim that because the total that emerges is very small (3.2%) there is no problem.

There are two serious problems with this approach:

1. As **HESA's own website shows**, Full-Time Equivalence is a very bad way of looking at people with part-time contracts. People employed on very small 'FTE' contracts simply disappear within aggregations of Full-Time Equivalence. In one sense, all the Universities are showing is that there are a lot of people on small contracts.
2. The other issue is more serious, namely that it is impossible to calculate the 'Full-Time Equivalence' of thousands of hourly-paid lecturers by seeing how many full-time lecturers they would add up to. The two categories of staff are completely different. Take, for example, an hourly paid lecturer who is contracted and paid to teach 6 hours a week, roughly the equivalent of one day (0.2FTE) per week. In theory you would have to add in four more hourly paid lecturers to get 1 FTE. Except that in that week, those lecturers will have delivered, between them 30 hours of classroom teaching. Five people delivering 30 hours of classroom teaching have disappeared into 1 FTE. By comparison, 1 FTE lecturer is contracted to deliver not only classroom teaching, preparation, marking, administration and research. They are likely to be teaching around half the classroom hours of the 5 hourly paid lecturers because they are

contracted and paid to perform a range of duties that the HPLs are not. This is, of course, one of the reasons that universities have been so happy to employ hourly paid lecturers in such large numbers. They get more classroom time for their money.

If you care about what happens to individuals and how you are treated, you must examine full person equivalence not full-time equivalence. If you care about what is going on in the classroom and what students are being given for their £9000 then it's time the sector started being more honest about how much teaching is being done by people on insecure contracts or underpaid PhD students. Calculations based on FTE are nothing more than an attempt to sweep both issues under the carpet.

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