

The Concordat to Support the Career Development of Researchers: Insecure employment and unfulfilled promise

A response to the Expert Review Group

The Concordat's weak point: lack of commitment to employment security

Principle 2 of the Concordat (Researchers are recognised and valued by their employing organisation as an essential part of their organisation's human resources and a key component of their overall strategy to develop and deliver world-class research) contains the following statement:

'Commitment by everyone involved to improving the stability of employment conditions for researchers and implementing and abiding by the principles and terms laid down in the FTEPLFT Regulations (2002) and Joint Negotiating Committee for Higher Education Staff (JNCHES) guidance on the use of fixed-term contracts will provide benefits for researchers, research managers, and their organisations'.

UCU's view is that this has always been the weak point of the Concordat. The above statement is in fact more of an observation about a potential causal relationship than a commitment and it consequently weaker in force than other areas. The words 'should' and 'must' appear nowhere in this passage, in contrast to the rest of the accompanying action points.

This is a problem that was built into the Concordat by institutional resistance from key stakeholders in the sector, most notably employers. Vitae, the organisation tasked with monitoring the implementation of the Concordat, has conducted excellent work in many areas, doing much to ensure that researchers get more advice, professional development and training. Yet because of the Concordat's weak original commitment to employment security, Vitae has been more muted in its criticism of sector failings, though it is noteworthy that its reports have pointed to the fact that the CROS and PIRLS surveys have continually indicated a lack of progress on employment security. This sits uncomfortably

with the rosier images produced by employers representatives UCEA, whose impressive looking infographics appear designed to persuade the external onlooker that there's nothing to see in the HE sector¹.

In 2015, UCU sought to get beneath the HESA headlines to examine what was really happening to researchers in our sector. Our research, based on Freedom of Information requests and a survey of researchers, indicates that indeed the Concordat has made very little impact on employment stability. In 2015, the union conducted a Freedom of information request to Russell Group universities, which together employ more than 70% of our entire research community. This asked:

- How long are the fixed-term contracts on which people are employed?
- How many researchers are benefiting from the rights to permanency supposedly enshrined within the EU's Equal Treatment Directives and the Fixed-Term Prevention of Less Favourable Treatment Regulations?
- What is happening to researchers at the end of their contracts or funding? How many are made redundant, redeployed or have new contracts issued?

The response to this FOI was itself instructive. The union received meaningful data from 20 Russell Group institutions. Several claimed almost full exemption from any disclosure under Section 12 of the legislation or charged a fee for completing the return on the grounds that collecting the data would take in excess of 18 hours. Others claimed partial exemption on the grounds that their HR systems didn't log individuals across contracts.

Our key findings were as follows:

Short-term contracts are often very short: Russell Group universities, with very few exceptions, have maintained between 70 and 75% of their research staff on fixed-term contracts, slightly above the national average. On average, 57% of these staff are employed on contracts of two years or less. On average, 29% are employed on contracts of 12 months or less. This data indicates that a 3-4 year contract is not the norm.

The Fixed-Term Regulations are not working: The fixed-term regulations and the European Directives from which they flowed were much touted in the sector as heralding a sea-change in the employment of researchers. But there's precious little evidence to support this:

¹ See for example, the Vitae report 'Five Steps Forward: progress in implementing the Concordat to Support the Career Development of Researchers 2008-2017', p. 1, and contrast it with UCEA's infographics on employment contracts: <http://www.ucea.ac.uk/download.cfm/docid/897468E3-B528-4D14-858EDCDED1DF0170>

- 70% of research staff in Russell Group institutions are still on fixed-term contracts, often of short- duration.
- Across the Russell Group, an average of 7% of research staff on fixed-term contracts are transferred onto permanent contracts in a 12 month period.
- This figure drops to 3% if you take out two universities (Cambridge and Glasgow) who transfer significantly more (around 30% in both cases).

This question was one where we had most trouble getting evidence because a significant number of Russell Group institutions said their HR systems could not track individuals, only contracts. But from the 13 responses giving data, the general picture is one in which transfer onto permanent contracts is an exceptional event not a normal expectation.

Russell Group researchers are regularly churned: The figures indicate that in any 12 month period, at least 16% of fixed-term contract staff will be made redundant because their contract or funding expires. This is likely to undercount the real situation as some institutions insist that the end of a fixed-term contract is not a redundancy. Only a very small number (5.6% according to our data) will be redeployed by their institutions. Around a third (36%) can expect to have a renewed or new contract at their institution. This figure conceals some wide variation between a group of 5 Russell Group universities who are renewing or issuing new contracts to between 40 and 50% of their research staff and the larger group in which the range is between 3% and 30%. And as we've seen, very small numbers (around 3%) can expect to transfer onto a permanent contract.

Institutional policies can mitigate the worst effects of short-termism: Perhaps the most interesting finding thrown up by the FOI was the extent of institutional variation in the numbers, often closely mirroring what we know from auditing university policies. Without naming and shaming, one can usefully pick out three different policy responses. Each is based on a specific institution.

- University A employs around 700 research staff. It has a fixed-term contracts policy based on the JNCHES guidance that does not make any specific commitment to reducing the use of fixed-term contracts. More than 80% of its research staff remain on fixed-term contracts and 51% are on contracts of 2 years or less. In a 12 month period over 2014-15, 5 researchers were transferred onto open-ended contracts and 16% had their contracts renewed. Almost 20% of its fixed-term contract research staff were made redundant.
- University B employs 1100 research staff. It has not made a wholesale move away from the use of fixed-term contracts for research staff although it has a higher than average percentage of researchers on open ended contracts (45%). University B does not redeploy significant numbers of researchers. However, University B has made a commitment to creating a sustainable research culture and around 50% have a new contract or have their contracts renewed and continue in employment at that institution. University B has a good relationship with its UCU branch and is in discussion over improvements to the position of research staff.

- University C employs 800 research staff. The university has made a clear policy decision to move away from the use of Fixed-Term contracts, using instead a combination of open-ended contracts and open-ended contracts with a stipulated threat of redundancy date. As a consequence, 83% of its research staff are now on open-ended contracts. University C also has a redeployment policy. This ensured that in the last 12 months, 43 researchers on FTCs and around 90 more on open-ended contracts were redeployed within the institution. University C renews or grants new contracts to almost 50% of its FTC researchers. University C also negotiates all its policies with UCU.

Unfortunately for the sector and its researchers, University A is far more typical of the Russell Group than Universities B and C. This does a lot to account for why the overall picture is so bleak.

Employment security is an issue for everyone:

The findings of our research should be a matter of concern to all the stakeholders in the Concordat Strategy Group. Action to remedy the weakness of the Concordat in this area should be a priority.

Employment security matters to researchers. Vitae's 2015 CROS survey report found that:

'Research staff who have had multiple, short-term contracts over a long period with their institution tend to feel less valued and have less positive feelings about their employer, job and career.'

Three and a half years after completion, over 60% of PhDs are working outside the sector and the Royal Society estimates that only 3.5% of science PhDs stay in academia for the rest of their careers. Particular concerns have been raised about the future job prospects of PhD candidates and early career researchers in the humanities and social sciences.

Vitae's survey of researchers leaving the higher education sector showed that:

- 76% agreed they wanted better long-term employment prospects,
- 65% wanted more job security and
- 69% were no longer prepared to be employed on fixed-term contracts.

The brute fact is that the UK higher education sector is steadily losing talent to other sectors on the basis that it has failed to offer this security. While these researchers are undoubtedly better prepared for their move than they would have been prior to the Concordat, there is no evidence that the Concordat has done anything significant to stop people wanting to leave because of the sector's inability to offer more secure employment.

This is not simply an issue of the personal loss for the people leaving our sector. It also matters because there is evidence that the short-term funding structure of research and the churn of staff damage the quality of research outputs. In 2015, UCU surveyed research staff asking them about the impact of short-term funding and contract structures on the creation of knowledge. Short-term was defined, for the purposes of the survey as 3 year or less. There were 1,600 responses in just over a month.

- More than 70% of respondents agreed that funding research through short-term grants was ineffective and prevented the accumulation of knowledge.
- 83% said that it geared research toward short-term results rather than longer-term impact
- One third said that they believed it created a culture in which unethical research practice was likely.

Here are just a few of the many testimonies we received on this issue:

'Projects whose outcome would be beneficial to the scientific community but have proved more time-consuming than anticipated have had to be abandoned in favour of less valuable but quicker return projects.'

'I have been involved in research that is a professional and ethical disgrace. The pressure to complete certain parts by arbitrary points leads to corner cutting in sorts of ways. We have made policy recommendations that are so thinly substantiated and well before any peer review or rigorous quality control. The amount of paperwork and report writing is a massive burden and hugely reduces the time spent on actual research.'

'As a PI, I end up with trying to finish writing up the work of researchers who have moved on at the end of contracts.'

'Researchers on short-term contracts leave before the end of their contract. Totally understandable when on a fixed-term contract which is coming to an end but is problematic for finishing a research project with a diminished team.'

'I have been a contract researcher for twenty years. Increasingly, I am salami sliced across multiple short-term projects. Formally, I may work for 5 to 40 per cent per project, but in practice they all demand more than their formal fractions... The biggest frustration, however, is that relationship building across disciplines and with practitioners / subjects in society suffers. In an increasingly contracted, short-term world, the arenas for in-depth reflection and asking awkward questions are shrinking. Short-term funding increasingly follows consultancy and think tank sectors, and with everyone chasing the latest business, policy or social agendas. There is little pause to think what might be the unique contributions that university-

based social science or interdisciplinary research could make to society.'

'There is a lack of continuity of knowledge about the research project, the techniques involved and simply the working environment so much so that it feels that we are starting again every two-three years with teaching the basics to a new set of staff'

'Although I have worked for the university for nearly 20 years, the short term funding means that I am threatened with redundancy every 3 years. Although I try to stay positive this has a negative impact on my mental health. I spend a lot of time on looking for my next funding opportunity instead of getting on with the research I have been funded for. The pressure to come up with a new 'complete' project with defined short term goals every time you write a new grant proposal means that you can't develop properly any interesting leads from the previous project. There is a rapid turnover of staff in our research group, which means that valued colleagues are constantly replaced by new people who need training from scratch, this also uses up a lot of valuable time.'

Conclusions and recommendations

In our policy paper 'Seeing the Bigger Picture: the future of UK research and development', UCU argues that the short-termist policy pursued at the level of research councils and institutional workforce planning has resulted in a systemic problem in the university research base. The failure to tackle job insecurity is perpetuating the 'churn' of research staff out of the sector, generating significant waste through lost or interrupted intellectual work and reducing the attractiveness of a university research career. 'Seeing the Bigger Picture' argues that this can and should be tackled at all levels.²

The Research Councils could create more long-term funding streams and commitments and build in incentives for universities to invest in the long term by making engagement with career stability a condition of grant and creating funds that enable institutions to set up bridging funding schemes. These ideas are supported by front-line researchers. Between 75 and 80% of respondents to our survey supported these suggestions.

Employers can also do more by working with unions and negotiating improvements in their workforce planning and employment practices for researchers. The vast majority of them

² Rob Copeland, 'Seeing the Bigger Picture: the future of UK research and development – a policy statement' (December 2014), https://www.ucu.org.uk/media/6957/Seeing-the-bigger-picture-The-future-of-UK-research-and-development--a-UCU-policy-statement-Dec-14/pdf/ucu_seeingthebiggerpicture_dec14.pdf

choose not to, instead hiding behind largely fictional good news stories pumped out by their national representative UCEA but our FOI results indicate that even working within the current constraints, different policies, cultures and relationships with UCU create different outcomes. Bridging funds, positive policies to move away from fixed-term contracts, redeployment agreements, all command huge support among researchers. It is possible to create greater career stability at institutional level.

Finally, as indicated in our answers to the consultation questions, paragraph 2 of principle 2 needs to be updated. UCU's suggestion is that this should read:

'All parties commit themselves to producing annual action plans which will have the aim of measurably improving stability of employment and building viable career paths for researchers and further commit themselves to reporting to the Concordat Strategy Group on progress against these plans.'

The single biggest issue facing the Concordat Review is the sector-wide failure to provide greater employment security and a viable career path within the profession. We have, arguably, become much better at channelling researchers out of the sector than at reproducing our own university research base in a way that supports either career aspirations or high quality research.