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OurRef 170718-000000

Sent by email to J.Amos@tees.ac.uk

18th July 2017

Dear Juliet

Notification of possible redundancies affecting Professorial roles at Teesside University

Dear Juliet

Following our email exchanges and communication between Teesside University and the University and College Union, I write to express our disappointment at the way that the University has handled (and continues to handle) the proposals relating to 26 Professors. When we spoke on the phone you correctly stated that the University and UCU have worked well together. That this is not the case with this set of proposals, we argue, is not the fault of the trade union. We believe it is because the University is failing to follow its normal practices and the agreed policies and procedures. In particular, the Teesside University Compulsory Redundancy Policy/Procedures. I address our concerns in this letter.

A Redundancy Situation?

I refer to the communication that you sent out to 26 members of staff on 4 July 2017. This made specific reference to "*the possibility of redundancies arising in the professorial roles at Teesside University*" due to "*a new appointment criteria and person specification for a new role of Professor (Research)*".

You will be aware that the University Compulsory Redundancy Policy/Procedures define redundancy as follows:

1. Definition of Redundancy

An employee will be considered redundant where:

- 1.1 *The University has ceased (or intends to cease) carrying on the business in which the employee was employed, or ceases (or intends to cease) carrying out this business at the place where the employee was employed, **or***
- 1.2 *The requirements of the University for employees to carry out work of the particular kind in which the person concerned was employed have ceased or diminished (or are expected to cease or diminish), either in the University as a whole or in the place where the person was employed.*

It is not clear to us how the University's proposals fit into the definition of redundancy that is described in the policy. Indeed, it would appear that the proposals are not about redundancy at all, but appear to be about changes to the Job (or Role) Description of a Professor engaged in Research. It would be helpful if you could clarify to us on what basis this is a redundancy exercise as it does not appear to fit into either 1.1 or 1.2. We can see nothing in the documents issued to this group of staff that would indicate that this is the case. The University has said that there are positions for all 26 members of staff, so how can this be characterised as a redundancy process?

A failure to follow University Policy/Procedure and to consult with the recognised Trade Unions

In your letter to me dated 13 July 2017, you reiterated the University position that UCU will not be allowed "to formally engage in the collective consultation" process regarding the 26 Professors, which was first made clear to the staff both verbally and in writing on 4 July 2017. However, this statement from the University runs contrary to the stated University Policy/Procedure which states quite categorically:

"If it is perceived by the University Management that redundancies may be necessary, the Director of Human Resources will consult with the recognised Trade Unions." (Section 2 of Teesside University Compulsory Redundancy Policy/Procedures)

A further mention of consultation with the recognised trade unions is made in Section 3 of Teesside University Compulsory Redundancy Policy/Procedures:

"Consultation will take place from the time of notification about proposed redundancies, between the Director of Human Resources, the appropriate Manager and representatives of the recognised Trade Unions, to establish selection criteria."

No provision is made to engage with staff in any other way. We therefore consider the University to be in breach of its own procedures.

The opening paragraph states “*These procedures apply equally to all staff employed by the University*”, yet the University is treating this group of 26 Research Professors very differently.

A failure to give proper notice

“*The University will hold initial discussions with the Branch Representatives of the recognised Trade Union(s). This notification will take place at the earliest opportunity, BUT NOT LESS THAN SIX MONTHS before the first intended dismissal date.*”

The documents that were given to staff on 4 July 2017 state that the “*Latest leaving date for staff leaving on compulsory redundancy*” is to be 31 October 2017. Why does this timeline not comply with the University Procedure? Why is this group of staff being treated differently?

A failure to disclose information

Appendix 1 of the Teesside University Compulsory Redundancy Policy/Procedures details the information that “*will be provided to the recognised Trade Union(s)*”. Can this be provided to us please?

A failure to meaningful consult

That the University began this process in July (and seeks to continue it in August) is a most extraordinary act. The academic calendar is well known. The times of the year when staff, including those affected and our trade union representatives, are least able to engage meaningfully in this process, is now. We fail to see how this can be justified, and we are yet to see any response to the concerns that we have raised about this; concerns that have also been raised by the individuals themselves.

We have stated that this process brings uncertainty to staff and will ruin the holidays of a significant number of committed and hard working staff within the University. We have yet to receive a response to the proposal that I made on 7 July 2017 to begin “*formal consultations with those involved in September*” rather than at a time when staff should be doing other things. If the University is unwilling to do that, we would like an explanation as to why the University feels that undertaking consultation now is a reasonable thing to do, and in what sense it can be meaningful given the time of year for an academic institution?

If the University is to continue to engage with this group of staff through their elected representatives, rather than through the trade union, what account is to be taken of the annual leave and research leave of those representatives? What happens when they are unavailable? And what account is to be taken of their ability to properly communicate with and represent the views of those affected

when many of those they are representing will be unavailable? What time is to be allocated to those two members of staff to enable them to effectively engage with the University through this process?

We look forward to hearing back from you.

Yours sincerely

A handwritten signature in black ink that reads "Jon Bryan". The signature is written in a cursive style with a large, stylized 'J' and 'B'.

Jon Bryan
Regional Support Official