

**GOLDSMITHS  
University of London**

**COUNCIL**

**JOINT CONSULTATION AND NEGOTIATION COMMITTEE**

**Minutes of the meeting held on 21 April and 11 May 2010**

- Present 21 April: Mr Hugh Jones (in the Chair), Ms Dail Francois, Mr Des Freedman, Professor Marjorie Mayo, Mr Chris Pearson, Ms Suzanne Stead
- In attendance 21 April: Ms Kathryn Nesbitt (Secretary), Ms Greta Farlan (UNISON), Ms Sally Townsend (Director of Finance)
- Apologies 21 April: Dr Philip Broadhead, Professor Jane Powell
- Present 11 May: Mr Hugh Jones (in the Chair), Dr Philip Broadhead, Mr Des Freedman, Mr Chris Pearson, Ms Suzanne Stead
- In attendance 11 May: Ms Kathryn Nesbitt (Secretary), Ms Greta Farlan (UNISON), Ben Levitas (UCU)
- Apologies 11 May: Ms Dail Francois, Professor Marjorie Mayo, Professor Jane Powell, Ms Sally Townsend (Director of Finance),

**OPEN BUSINESS**

**28 MINUTES (JNCC/6)**

Noted:

that the Minutes of the meeting held on 24 February 2010 would be submitted for approval at the meeting on 9 June 2010.

**29 RECOGNITION AGREEMENT (JNCC/6)**

Received:

the final Recognition Agreement for signature (10-82R).

All parties agreed that they were prepared to sign off the Recognition Agreement (although UCU commented they still felt it remiss that some points had not been written into it). A clean copy of the Agreement was to be distributed for sign-off.

## **Resolved:**

that the Recognition Agreement be approved.

### **30 STAFF COST REDUCTION PROGRAMME (JNCC/6)**

Received:

a briefing from the Director of Human Resources on the proposed Staff Cost Reduction Plan (10-149, 10-150, 10-151, 10-152 and 10-153 enclosed)

Members of the Committee hoped the reduction in staff costs, necessary due to the financial pressures faced by the College, would be achieved through voluntary, rather than compulsory means. The intention was that a voluntary severance scheme would be the main focus of the Staff Cost Reduction Programme, but that flexible working initiatives would also play a part (as would initiatives including: reducing staff-related costs through minimising the College's dependence on recruitment agencies and minimising the College's use of over-time working).

It was noted that clarification of the title to be used to describe the voluntary severance scheme would be provided. (In the papers it was also described as 'a voluntary selective severance scheme', 'a temporary voluntary selective severance scheme' and 'a temporary voluntary College severance scheme').

UCU commented that they did not feel that the proposed voluntary severance scheme (whereby those who opted-in would receive a payment equivalent to four months' salary plus statutory redundancy pay) was an attractive one. They subsequently questioned what the College's intention was with regard to savings, and whether the scheme would realistically allow it to be achieved.

UCU commented that there must be a significant distinction between the terms of a voluntary severance scheme and those of a compulsory severance scheme. They noted that at the Policy Consultation Meeting (held earlier that day) they had requested the terms of the College's compulsory severance be enhanced.

UCU asked that under 'Criteria for Eligibility' (10-150) an inclusion would be made providing assurances that voluntary severance would not be agreed if it was to the clear detriment of those remaining with the organisation.

UCU commented that, with regard to the operation of the scheme, it would be more appropriate for employees to liaise with the Human Resources Department than their Head of Department regarding expressions of interest.

The Registrar and Secretary and the Director of Human Resources acknowledged UCU's comments, but noted that Heads of Department would play an important role in deciding whether a voluntary severance request could be agreed to.

UCU commented that the stipulation that an employee submitting a voluntary severance request would 'be expected to give a warranty that they have not been offered employment in the last three months' seemed to add little to the scheme and would be expected to be difficult to prove / disprove.

The Director of Human Resources responded that it would not be sensible from the College's perspective to pay severance-related compensation to an employee who had already chosen to leave the College. The Registrar and Secretary drew attention to the difference between an employee who had already chosen to leave the College at the point of submitting a voluntary severance request and one who began looking for alternative employment during their notice period. Responding to a request for clarification from UCU, the Director of Human Resources confirmed that he would like the scheme to 'go-live' in mid-May, to have received all expressions of interest by the end of June, for the scheme to close at the end of August, and for final decisions to have been made by the end of September.

UNISON commented that many employees would take annual leave during August and thus that this time-line could be problematic. The Director of Human Resources responded that he would consider this point and that it should be made as easy as possible for employees to apply for voluntary severance should they wish, but that the longer it took for the scheme to 'go-live' and close, the more costly it would be to the College, at a time when it was looking to make cost-savings

UCU asked whether, if the government announced a new budget in June, it would be necessary for the scheme to be reviewed. The Director of Human Resources advised that it was important for the scheme to have an end-date so that there was an incentive for employees to consider the scheme.

UNISON asked whether there was a 'savings forecast.' The Director of Human Resources advised that it was hoped that £2.5 million would be saved by virtue of the scheme. UNISON commented that a saving of £2.5 million would be a challenging target if only those in lower graded roles successfully applied for severance. The Director of Human Resources advised that if targets were not met it would be necessary to review the scheme.

It was agreed by all that the College's previous voluntary severance scheme had not been successful.

The Director of Human Resources advised that the present scheme would be promoted in a similar way to the most recent Promotion and Progression round – for example through presentations to Heads of Department and employees and written correspondence (it was acknowledged that not all employees had access to a PC).

UCU asked, with reference to the 'Eligibility' (10-150) what an exceptional circumstance would be. The Director of Human Resources responded that this could be if an employee was supervising a student / teaching on a course and it would not be in the best interests of the College for their employment to end within their normal notice period. It was clarified that the 2 – 3 year period was a reference, not to notice, but to the time in which the cost of severance should be re-cooped.

UCU suggested that this could be further clarified by an inclusion in the wording of the scheme confirming that all those who took voluntary severance would have left the College by a specific date.

UCU asked whether the College would bear the actuarial strain where individuals aged 55 or over took voluntary severance. The Director of Human Resources confirmed that it would.

UCU commented that people would want confirmation that the proposed scheme was the only viable way of the College making the savings required, and that they were concerned regarding the lack of evidence around the outcome of the College's previous voluntary severance scheme. No such evidence was readily available, but the Director of Human Resources advised that it would be important, whilst the proposed programme was in-place, to continuously monitor and review it, and to keep the Trade Unions briefed as to the progress of making the necessary savings. He advised that, to this end, a monthly report would be produced.

UNISON noted that they would be interested to see how many employees submitted expressions of interest as compared with how many employees actually applied for voluntary severance. They also noted that it would be important to conduct an equality analysis.

The Registrar and Secretary pointed out that the business case to justify the acceptance / non-acceptance of a voluntary severance request would be a key part of the programme. The Director of Human Resources noted that Heads of Department would be provided with training regarding this.

The Director of Human Resources pointed out that there would not be a recruitment freeze, but that recruiting managers would be asked to seriously consider, when a vacancy arose, whether it was necessary for it to be filled.

UCU asked what the College's stance would be on the issue of 'bumping', and commented that it could be a way of further mitigating a need for compulsory redundancies in the future. They commented that it was not a subject that necessarily needed to be discussed up-front, but that Heads of Department / line managers should have an awareness of it. The Registrar and Secretary and the Director of Human Resources responded that 'bumping' could be viable in some circumstances and commented that if the proposed Staff Cost Reduction Programme was to work, creativity and flexibility would be required. UCU highlighted the potential risk attached to 'bumping'; that employees could feel pressured into moving roles when they did not wish to do so. The Registrar and Secretary acknowledged this risk.

The Registrar and Secretary returned to the subject of the generosity of the scheme. He commented about the importance of striking a balance between making the scheme an attractive one and making it so expensive that it is not viable. The Director of Human Resources advised that he had conducted research around voluntary severance packages offered by other HE institutions and also noted the importance of public perception – particularly if the package were considered to be too attractive. The Registrar and Secretary spoke of the importance of the clarity that a severance payment based on a number of months of salary would provide. He also commented that the objective of the proposed scheme was not to target any particular group within the College.

UCU referred to some other Higher Education institutions which had offered larger severance payment, for example the equivalent of one year's salary. The Registrar and Secretary responded that to offer such a large severance payment would mean that, due to the expense, the scheme would not be viable.

UCU commented that if there was to be a programme of compulsory redundancies in the future it would be preferable to have more generous terms than at present (i.e. payments based on the statutory minimum).

The Registrar and Secretary commented that whilst a programme of compulsory redundancies might be easier to manage, it would be destructive and that it was hoped that during the life of the proposed voluntary severance scheme it would be possible to keep morale up.

UCU commented that they would like their members to be able to see illustrations of how savings would be made and the rationale for the proposed scheme. The Registrar and Secretary referred to potential illustrations.

UNISON commented that previously a number of its members had unsuccessfully applied for voluntary severance, and asked whether the newly proposed scheme would allow for a right of appeal. The Director of Human Resources advised that it would not, but that the possibility of providing feedback would be considered. UCU suggested that if an employee unsuccessfully applied for voluntary severance within a given period of time they would not be made redundant as part of a programme of compulsory redundancies. UNISON commented that transparency would be key to the proposed scheme, and that if employees had unsuccessfully made applications they should understand the reason(s) for this. The Registrar and Secretary agreed that transparency was important but that it could not be at the expense of the confidentiality of the Compromise Agreements.

The Director of Human Resources advised that the next step would be for the issues raised / discussed (for example regarding the generosity of the proposed scheme) to be considered and for the related documents to be revised and distributed to members of the Committee.

UCU asked what level of awareness employees had of the proposed scheme. The Director of Human Resources advised that the relevant documents had been made available to them.

With regard to the flexible working proposals, UCU asked whether employees who took unpaid leave would be provided with a guarantee that they could return to their role. The Director of Human Resources advised that they would be treated in a comparable way to staff on maternity leave (for example, if there were a reorganisation they would be consulted).

The Director of Human Resources advised that the key to the flexible working proposals was that there would be cost reductions without there being reductions in efficiencies.

UCU commented that it should be made clear that the statement (10-150) that 'Goldsmiths will consider all applications' would apply, not just to flexible working, but also voluntary severance applications. The Registrar and Secretary concurred with this.

UCU commented that the description of statutory redundancy payments statement (10-151) was unnecessarily complex. The Director of Human Resources agreed to review this.

UNISON commented that some employees had the statutory right to apply to work flexibly, and that should these employees apply, agreement by the College should not be dependent upon there being a resulting cost-saving. The Director of Human Resources concurred with this

The Committee noted that it would be necessary to adjust the Q&A document to reflect the discussions which had taken place at the JNCC meeting.

UCU asked that the documents to be circulated to employees regarding the staff cost reduction programme mention that the Trade Unions had been consulted and of the importance of transparency.

### **31 STAFF COST REDUCTION PROGRAMME (JNCC/7)**

The Registrar and Secretary stated that the content of the papers presented at the preceding JNCC meeting (regarding the proposed voluntary severance scheme) had been reviewed in light of the feedback received.

The Director of Human Resources confirmed the following points: that, throughout the papers, there was now consistency regarding the scheme's name, that the proposed compensation package had been increased from four to six months' contractual pay, plus the relevant statutory redundancy payment, that 'bumping' was possible, that, with regard to workload, those who did not take voluntary severance should not be detrimented by virtue of the scheme, that it was not necessary for those who wished to obtain information regarding what their individual compensation package was to have spoken with their line manager first, that (taking into account annual leave patterns) the closing date of the scheme was to be 20 September, and that (due to the revisions to the paper) the scheme would not 'go-live' on 17 May 2010, as originally intended, but a week later on 24 May 2010.

UCU commented that two points had been raised regarding the proposed scheme at their general meeting. Firstly that line-managers making recommendations regarding the viability of an application receive training so that they can appropriately consider it, and secondly that staff should have recourse if their application was unsuccessful. The Director of Human Resources responded that those making decisions were required to produce a written business case outlining the rationale for supporting or not supporting it. The Registrar and Secretary commented that one of the key differences between this scheme and the previous scheme was Human Resource's involvement; that all applications would be monitored by Human Resources. The Director of Human Resources added that Human Resources would chase line managers for feedback where applications were not supported.

UNISON commented that they were concerned that not all staff would have access to resources related to the scheme if they did not have internet access. The Director of Human Resources advised that the unions' input regarding communication would be welcomed. UCU suggested an enquiry line and the dissemination of hard copies of the relevant documents through line managers.

UCU asked what the timescale for line managers to respond to applications was. The Director of Human Resources answered that it was two weeks from receipt.

UCU expressed concern, based on their experience of the previous scheme, that line managers would not be held accountable for their business case in support / not in support of applications, and asked who would see it. The Director of Human Resources responded that SMT would, and highlighted that some data would be considered confidential. The Registrar and Secretary added it was necessary, if their application was not successful, that staff understood why.

UCU asked whether it was possible for a member of staff whose application was unsuccessful to question this decision. The Director of Human Resources responded that on the application form there would be a section for the member of staff to explain how

they believed their application was a viable one. The Registrar and Secretary reiterated that it was necessary, if an application was unsuccessful, that the member of staff understood why, and stated that a conversation should take place between the line manager and member of staff (if necessary with a representative of the Human Resources Department or a trade union present).

UNISON asked whether staff would be provided with reminders as the deadline for the close of the scheme was approaching. The Director of Human Resources confirmed that they would.

UNISON asked whether when 'bumping' was presented as an option there would be immediate consultation with all concerned parties. The Registrar and Secretary commented that the mechanics of 'bumping' were complex. The Director of Human Resources then commented that although 20 September 2010 was the closing date for applications, conversations, for example regarding bumping, would likely continue beyond this date. The Registrar and Secretary added that a line manager may need to wait until all applications were received before knowing whether they could be supported.

UNISON commented that when decisions were delayed members of staff should be notified that this was the case. The Registrar and Secretary agreed.

UNISON stated that if a large number of applications for voluntary severance were received the College should consider what this inferred about the College as an employer. The Registrar and Secretary suggested the use of exit interviews. The Director of Human Resources commented that exit interviews were currently available.

UCU asked who application feedback would be seen by. The Director of Human Resources responded that decisions would be made by SMT, who may take advice from not just line managers but also Finance and Human Resources. He added that pro-wardens would feedback. He commented that in some cases line managers may not agree with the decision of SMT.

UCU suggested that the timescales associated with the scheme were made clearer. They cited their incorrect interpretation that all expressions of interest should be received by 30 June 2010 as an example of the need for this. The Director of Human Resources responded that although expressions of interest could be made subsequent to this date, it was the deadline which should be met to guarantee that a member of staff receives details of what their individual compensation package would be.

UCU, referring to the subject of 'criteria for eligibility', stated that the wording in the papers was weak as it did not clarify how an impact assessment would be undertaken. The Director of Human Resources responded that if the papers were too prescriptive it could result in the scheme being unworkably restrictive. UCU responded that it was important that those making a business case regarding the outcome of an application were aware that they should take into consideration more than just cost savings. The Director of Human Resources agreed that they must also take into consideration the impact upon the workload of those remaining in the employment of the College. It was agreed that the wording in the Director of Human Resources' e-mail of 26 April 2010 would be preferable to that currently in the papers.

The Director of Human Resources, referring to the redistribution of the work of staff whose application for voluntary severance is successful, stated that this should not result in the

roles of those remaining in the employment of the College growing and thus being re-graded, as this would jeopardise the College making cost savings.

UCU asked whether they could be provided with copies of the guidance presented to line managers regarding how to make a business case in support / not in support of an application. The Registrar and Secretary responded that they could attend line-manager training should they wish.

UCU asked, with respect to the voluntary severance scheme, if more transparency could be provided regarding the long-term financial goals of the College. The Director of Human Resources responded that the goal was to reduce the cost of staff by £2.5 million. It was agreed that this would be made more explicit in the papers.

UCU asked whether there would be a cap on the number of those from one department who could take voluntary severance. The Registrar and Secretary responded that such a cap was not desirable.

UNISON stated that if there were a group of ten employees who all performed the same role and who had all applied for voluntary severance, and it was only possible to approve half of the applications there should be transparency as to why those that were approved were. The Director of Human Resources agreed and stated that it may boil down to which of the staff were paid at the highest spine points. The Registrar and Secretary added that a 'case-by-case' approach would be necessary.

UCU asked that the preceding discussion was included in paragraphs 16 and 17 of 10-150R. The Director of Human Resources asked that they e-mail the particular wording that they wished to be reflected.

UCU, referring to paragraph 16 (iii) of 10-150R, suggested that further clarification would be useful. UNISON suggested that it would be useful if an example could be included, for example if a member of staff was retiring.

UNISON, referring to the Question and Answer paper, and the categories of staff cited as not being eligible for voluntary severance, stated that it could be perceived as discriminatory with regard to those employed on fixed term contracts. The Director of Human Resources advised that he took this comment on-board (particularly with regard to those with over four years' continuous service) and would soften the wording, but that one needed to be mindful that for voluntary severance to be agreed it must be possible to demonstrate that the costs would be recovered within two years.

UCU asked whether, if a member of staff's application for voluntary severance was unsuccessful, and they were made compulsorily redundant approximately a year later, the College would pledge that they would receive compensation in-line with the voluntary severance scheme. It was agreed by all that this could be discussed at a later date.

UNISON stated that it would be necessary to look closely at any members of staff selected for compulsory redundancy subsequent to the closure of the voluntary severance scheme to ensure that line managers did not focus just on those who had applied for voluntary severance. It was agreed by all that this could be discussed at a later date.

UCU stated that they would e-mail the Director of Human Resources regarding wording around ensuring that those who remained in the employment of the College were not detrimented as a result of the scheme.

The Director of Human Resources confirmed that he would revise the papers as soon as was possible, begin a series of presentations to staff about the scheme, make hard copies of the papers for dissemination to those without access to the internet and plan training for line managers regarding making business cases.

## **32 NEXT MEETING**

Noted:

that the next meeting would be held on Wednesday 9 June 2010.