

Our Mission

Working together to foster fairness, equality and dignity in support of the advancement of knowledge and the education of students.

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Dear Ms Jain,

We are grateful for your response to our letter from 22 November 2022. While it partially helps us to understand the institutional arrangements concerning workload governance, your response unfortunately fails to provide full clarity and also raises new questions. As we are very much interested in fully understanding what is going on, we hope you can provide clarity with regard to some issues.

1. We asked about the Terms of References and you kindly provided us with these. As you will be aware, the University Workload Modelling Policy explicitly mentions the Workload Modelling Governance Group and assigns it a number of responsibilities (section 5 of the current Workload Modelling Policy). As there is some disconnect between the ToR and the responsibilities as defined by the Workload Modelling Policy, we would be grateful if you could explain to us which set of tasks/ responsibilities takes precedence over the other and how to navigate potential contradictions between the two sets of responsibilities. For example, the remit as per Workload Modelling Policy does not mention the status of the WLMGG as an advisory group and instead appears to ascribe it ‘ownership’ of strategic decisions and development in relation to the Workload Modelling Framework, Policy and University-wide processes and communications. The ToR, in contrast, mention ‘strategic direction and guidance on Workload Management’ after it is clarified that the Group is an advisory group. The Policy also suggests that the WLMGG should conduct annual audits of aggregated data, which is not mentioned by the ToR. In fact, the ToR do not mention or refer to the University Workload Modelling Policy once, which might be explained by the fact that the ToR precede the Workload Modelling Policy.

Remit as per Terms of Reference	Remit as per Workload Policy
<p>The Terms of reference of the Workload Modelling Governance Group (WLMGG) are as follows:</p> <ul style="list-style-type: none"> • To oversee and own the implementation of the University Workload Modelling Framework • To operate as the advisory group to the Vice Chancellor and to instruct College and Central Service Executives on matters related to operation of the Workload Framework and its ongoing development 	<p>The University (to include UEB and the WLM Governance Group) is responsible for:</p> <ul style="list-style-type: none"> • Ownership of strategic decisions and development in relation to the Workload Modelling Framework, Policy and University-wide processes and communications; • Responsibility for ensuring alignment of the Workload Modelling Policy with the

<ul style="list-style-type: none"> • To ensure that the operational practices are identified and implemented in line with the principles of the Workload Modelling Framework. In taking forward this remit, the Group will seek consistency and common approaches, whilst supporting and encourage diversity in operation where this is in the University's best interests • To provide strategic direction and guidance on Workload Management in order to progress the University's strategic aims and objectives and ensure alignment the well-being policy and People strategy • To integrate consideration of equality, diversity and inclusion into all matters • To ensure sustainability issues are considered in all matters • To take strategic recommendations and decisions to UEB and other relevant governance bodies • To provide strategic guidance and support on collaboration with other pan-University initiatives such as Athena Swan, TRAC,... • To provide strategic guidance on the overall service provision, system roadmap and reporting • To act as senior champions for the workload management framework. As such, members will be asked to own the implementation of selected decisions in their respective divisions. <p>All discussions and documentation related to the Governance group are confidential unless confirmed differently.</p>	<p>University's 'Way Forward' and the 'People Strategy';</p> <ul style="list-style-type: none"> • Responsibility for the provision and review of an Equality Impact Assessment; • Audit of annual aggregate data produced by the model to inform strategic direction and organisational capability to deliver the workload; • Trade Union Engagement;
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2. You have also clarified the status of the Workload Modelling Governance Group within the institutional landscape of the University. According to your explanation, the WLMGG is an 'informal advisory group which supports work to address workload modelling' acting on behalf of the Vice-Chancellor 'who is responsible to Council for the management of the University, including maintaining its efficiency'. This raises two follow up questions: 1) as pointed out in the previous query above, the WLMGG is explicitly mentioned in and given a number of responsibilities by the University Workload Modelling Policy. This makes it very difficult for us to understand how this formal recognition of the WLMGG is compatible with the description of the WLMGG as informal advisory group acting on behalf of the Vice-Chancellor. We would be grateful if you could explain to us how an entity whose existence and duty are enshrined in

University policy can be informal and therefore sits outside the University's formal committee structure.

We would also like to understand how it can be the case that an informal and advisory body can 'approve' things that have a real impact on workload management. When papers presented to the WLMGG ask members to 'approve' something, what does this mean? Your reply seems to suggest that any votes taken in the group are at best indicative and advisory, though the question is why an informal and advisory entity is asked to approve anything in the first place. We would be grateful for a more detailed elaboration of the meaning of decision-making in the WLMGG.

3. One of our main interests is to understand whether, where and how recognised Trade Unions such as UCU can have meaningful discussions and consultations about aspects of workload management. Your response unfortunately makes things even less clear than they were before.

What remains entirely unclear to us is whether there is any requirement for the University to formally engage with UCU about aspects of workload management or to provide meaningful workload data to UCU. Your response appears to reduce the issue to one of 'workload allocation'. To be clear, we do understand that it is the responsibility of Heads of School to allocate work and at no time was this questioned. Your response also framed the issue of workload management as one about maintaining and promoting the University's efficiency, which seems to suggest that workload management is therefore exclusively a matter for the UEB.

To us – and hopefully to the University Executive Board - 'workload management' entails much more than simply allocating work or ensuring 'efficiency'. Workload management goes to the heart of staffs' Terms and Conditions as it also touches upon the intensity and the nature of work as well as upon health, safety, wellbeing, equality, fairness and accountability. There is, however, seemingly no space or forum in the University where Trade Unions can have a meaningful say on these matters. As indicated in our previous letter, the UEB refuses to talk about any aspects of workload management in the context of JCNF and your response to our letter explains that the WLMGG – which UEB members tend to refer to as the 'appropriate forum for workload discussions – is an informal entity with the Vice Chancellor as final arbiter.

We would be grateful if you could explain to us whether UCU and other recognised Trade Unions can raise formal concerns about workload management issues and can hold the University to account and if so, where and how it can do so.

As you reference the fact that the UEB has responded to a workload data request made by UCU in a letter on 25 February 2022, you will also have been made aware by other UEB members that a number of our questions were either not meaningfully responded to (e.g. question 6: the response tells us that holiday roll-over days should be managed locally while we were asking whether roll-over days were taken into account when calculating annual capacity for staff, similarly for Question 7) while other questions were re-interpreted to suit management (e.g. offering us HESA data structured by cost-centre when we specifically – and for very good reasons – asked for school-level data. Other questions, such as question 1 and 2, were not answered with full honesty as some schools kept on producing workload skylines even though the workload policy was suspended – and these could have made available – and a good number of new workload tariffs are actually comparable to old ones. Could you please clarify whether the UEB has a duty to respond meaningfully to workload data requests submitted to JCNF or

whether this was simply a voluntary good-will gesture?

4. We are not fully satisfied with your response about potential real or perceived conflict of interests when it comes to workload governance in the University. We appreciate the facts that you provide but none of this addresses the underlying point, which is that there is seemingly no existing mechanism for raising alarm bells over persistent violations of the workload framework and policy other than College PVCs escalating potential issues to the WLMGG (which we now know is merely an informal advisory body acting on behalf of the Vice Chancellor).

You define conflict of interest as a situation that 'implies competing interests and that serving one of those interests could damage or harm the other interest'. The competing interests we were referring to are the efficient running of the University or, put differently, the financial health of the institution on one hand and respect for contractual and safeguarding obligations towards staff employed by the University on the other hand. We believe that College PVCs are at the heart of this conflict of interest.

You explain that College PVCs are responsible for the management of Colleges and are line managing Heads of School in their respective Colleges. As such they must also, surely, bear some responsibility for the safeguarding of staff which must include protection from working beyond their contracted hours for prolonged periods. Yet College PVCs are also entrusted with ensuring the financial sustainability of the University by managing the College budgets. As far as we understand it, College PVCs are setting contribution targets for Schools that might affect a School's ability to recruit extra staff. Colleges, as far as we understand it, also have a role to play when it comes to the approval of recruitment requests and they also seemingly have the power to enforce spending and recruitment freezes.

Yet, College PVCs are, according to the workload model policy, the sole persons who can raise workload compliancy issues at School level in the WLMGG and only in case College-level resolution is not achieved. As no such issues have been escalated to the WLMGG in the last few years, a possible explanation is that no unresolved Framework and Policy compliance issues exist. This, we are afraid, is beyond fanciful and not aligned with reports from our members who are only exposed to the narratives provided by senior managers in their respective Schools. It is also implausible in light of repeated staff surveys in which the vast majority of academic staff report the need to regularly work beyond their contractually agreed hours to deal with the workload they have been allocated. Just to be very explicit as this does not seem to be well understood: the workload policy states that staff members should not be over-allocated work in any given three-year cycle, which makes the need for persistent overwork as experienced by many members of staff in our University a violation of the University's own workload policy. One, if not the most egregious example of persistent and prolonged non-compliance in this respect is LAWPL in the AHSS College. We are aware that the previous Head of School of LAWPL has, as recently as 2020, suggested that the LAWPL and in particular the Law School had suffered from prolonged underinvestment and that workload for the majority of staff had been consistently above the maximum that should be allocated. The then Head of School apparently also suggested to staff members that the School was at least 17 FTE academic staff members short if the aim – entirely consistent with the University's workload allocation policy – was to ensure that no member of staff would be allocated more work according to WAMS than what they were contracted for. Nonetheless, the School was subjected to the University-wide recruitment freeze in the wake of Covid-19 and has then proceeded to almost double their UG student intake in 2021/2022, further increasing the workload allocated to staff members. While College apparently allowed LAWPL to recruit additional staff, this recruitment drive was slow and patchy. According to our members, LAWPL has also consistently failed to provide complete and up to date of school-level WAM data to staff despite a requirement to do so as set out in the Workload Allocation Policy. As the then College PVC is now the Deputy Vice Chancellor and as

the then Head of School of LAWPL is now the College PVC, you will be able to obtain their perspective on these issues.

Yet, at no point has the dire and dangerous workload situation in LAWPL been raised in the context of WLMGG. Perhaps there simply was no conflict between LAWPL and AHSS College about staff recruitment: according to reports from members, the Head of School suggested that the issue had been repeatedly raised at College level, but perhaps the Head of School was persuaded by College that the persistent violations of the University's Workload Allocation Policy by the School were for some reason justified or necessary. Perhaps the then Head of School just suggested that the issues had been raised at College level in order to pacify staff during staff meetings and the College PVC has never been informed about the workload framework violations in LAWPL. It is also possible that the Head of School recognised that it is unwise to even give the perception of conflict when raising staffing issues with College as this might negatively affect their own career progression or the future amount of contributions that Schools have to make to College. To be clear, we are not insinuating that this has been the case here or that this is ever the case, but when it comes to 'conflict of interests' it is usually sufficient that the potentiality or appearance of conflicts of interest are sufficiently established to warrant some action. It should be apparent that the relationship between College PVCs and Heads of School is structured in a way that makes it possible that real problems at School level remain unaddressed as pushing for a resolution (in this case, significant investment in new staff) might negatively impact other interests of College PVCs who have to manage a whole College and not just workload issues in one School.

In any case, what the case of LAWPL shows to us is that the governance arrangements concerning compliance with workload framework and workload allocation policy are not fit for purpose. How else is the prolonged and persistent mismanagement of workload in LAWPL, which has real consequences for staff working in the School, possible? According to reports from our members, the dangerous workload situation in LAWPL persists despite belated and slow recruitment in the wake of the record intake of UGs in 2021/22 (we would like to obtain data to show this more clearly but no such data is apparently available in the University as the response from the UEB from 25 February 2022 to our workload data request clearly demonstrates).

Please explain to us how we as a recognised Trade Union can on behalf of our members raise alarm bells about persistently unsafe workloads and call out bad management?

We would be grateful for a timely response,
With best wishes

Cardiff UCU Executive Committee

The Cardiff UCU office is normally staffed between 9.30am and 5pm on Monday - Thursdays
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