

William Powell
Chair of Petitions Committee
National Assembly for Wales
Cardiff
CF99 1NA

Your ref: P-04-485

14 September 2014

Dear William,

Re: Petition-P-04-485 Abuse of Casual Contracts in Further Education

Thank you for your letter regarding further information on the above issue and the information received from your Research Service.

I am in a position to update you of the situation at Gower College but cannot speak for other colleges in Wales. Since I submitted the petition last year, some progress has been made at Gower on the matter. In April, after negotiations with the relevant trade unions, management agreed a process for the transference of casual lecturers from hourly paid contracts to more secure fractional / full time contracts. This is certainly a step in the right direction, however certain criteria have to be met before a fractional / full time contract is awarded.

According to the new nationally agreed contract in FE, a full time lecturer can be asked to work a maximum of 835 annual hours and a maximum of 24 weekly hours. It was agreed that those who have worked 835 annual hours or the part time equivalent (e.g. 418 hours for a 0.5 contract) for four consecutive years can apply to be transferred to a full time / fractional contract. UCU as a union welcome this move forward but still feel that four years on hourly pay (at least) is an awfully long time to wait for a secure contract. You can imagine that some lecturers have worked more hours some years than others, but given that it is four consecutive years, they could have worked significant numbers of hours for many years e.g. 500 in year 1, 390 in year 2, 700 in year 3, 800 in year 4 but this lecturer would have to work another 2 years at 418 hours plus before they can obtain anything other than an hourly paid contract.

Hourly paid contracts can be temporary (fixed term with an end date – usually June or July) or permanent (guaranteeing usually 109–420 hours). Even though the contract is permanent, this contract gives little security, only 109 hours over a whole academic year. I know of lecturers on these contracts working 20 hour a week timetables, 700 plus annual hours, but as the above example shows they could be doing this for six years before they can get a more secure contract. The result of this is that they cannot apply for a mortgage and often have to take a second job in evenings or weekends to make up the shortfall of lack of pay in the summer months. These lecturers feel as if their life is on hold yet they are teaching close to a full timetable and have all the pressure and responsibilities of a fractional lecturer. We have a situation where people are doing the same role yet there is a huge disparity in the way they are paid and how much they are paid. These lecturers often work in the same department so you can imagine how this can lead to animosity rather than stable working relationships.

The other issue with the new agreement for consolidation is that an A Level lecturer who wants to apply for a full time contract would need to work 26 hours a week over 32 weeks to apply for a full time contract, as there are only 32 weeks of A Level teaching. This means that hourly paid lecturers need to overload themselves or miss losing out the contract that many of their colleagues hold and only have to teach 24 hours a week for.

I hope you can see that things are improving but are still problematic. Management have agreed to review the new consolidation process in April 2015 with a view to improving the criteria to enable lecturers with 3 consecutive years of annual hours above 418 to apply for a fractional / full time contract. This would obviously be more favourable but at this point in time we only have a verbal agreement that they will do this.

I would be interested to know what you think of the situation and whether you could do anything to help. As your research showed, use of zero hours contracts is decreasing, but use of hourly paid and fixed term contracts is still widespread. We want to ensure that fixed term contracts are used not to save money but only where there is objective justification for them (i.e. maternity / long term sickness cover). Some lecturers at Gower were given fractional contracts this year as a result of savings made from voluntary redundancies. Again this is a positive step, but abuses of contracts still occur e.g. someone doing 22 hours a week being given a 0.5 contract (when a full time lecturer does 24 hours a week). I believe that research into part time contracts and the number of hours done by lecturers would be useful i.e. are

lecturers working their contracted hours or are they doing extra paid at hourly rate? There are instances of both at Gower. I often think that HR departments are not even aware of the number of hours lecturers are actually doing. They issue a contract based on the predicted number of hours available but this often changes as enrolment may be higher than expected and then the lecturer is offered extra hours, but as I showed they could be doing these hours for six years for example, while someone who was originally offered a contract of a higher fraction ends up doing the same hours with much more security and pay behind them.

I do not see this as a fair situation and that is why I feel casual / part time contracts are often abused in Further Education perhaps consciously or unconsciously by employers, which means that lecturers who help students get the grades they need for University or develop essential skills for working life feel undervalued. There does not seem to be a comparable problem in Secondary Education which could lead to the conclusion that the sector as a whole is often overlooked and underfunded.

I look forward to hearing your response.

Yours sincerely

Briony Knibbs.

Part Time Rep (for UCU)
Gower College Swansea