University of Portsmouth

Human Resources Committee

TIME /DATE / VENUE	1400, 13 January 2021, via videoconferencing (Google Meet)
PRESENT	Claudia Iton (Chair) Professor Graham Galbraith Jane Hoskins (up to minute 18) David Wilding Christopher Williams (up to minute 18ivb)
IN ATTENDANCE	Chris Chang, Pro Vice-Chancellor (Global Engagement) (Minute 15 only) Helen Dunn, Deputy Director of HR (Organisational Development) Rebecca Hopkins, Deputy Director of HR (People Services) Lesley Lee, Equality and Diversity Advisor (Charters) (Minute 15 only) Dr Mike Rayner, Staff Representative (up to Minute 18ivb) Alison Thorne-Henderson, Executive Director of HR Bernie Topham, Chief Operating Officer and Deputy Vice Chancellor Professor David Sanders, Staff Governor Lyuda Wade, Staff Governor
SECRETARIAT	Adrian Parry, Executive Director of Corporate Governance Helen Malbon, Senior Governance Officer

10   Welcome, Quoracy, Conflict of Interest and Apologies

i.   The Chair welcomed members to the meeting. Due to the COVID-19 pandemic, this meeting was conducted virtually via videoconferencing. Members were reminded of the protocols for virtual governor meetings.

ii.   Apologies were received from Professor Paul Hayes, Deputy Vice-Chancellor. It was noted that External Governors, Jane Hoskins and Chris Williams and Staff Representative, Dr Mike Rayner had advised that they would need to leave before the end of the meeting.

iii.   The Executive Director of Corporate Governance confirmed that the meeting was quorate and could proceed to business.

iv.   There were no conflicts of interest declared.

11   Minutes of the Previous Meeting

The minutes of the meeting held on 23 September 2020 were confirmed as an accurate record.

12 Matters Actioned and Matters Arising

Action was reported within the agenda papers on eight items: one for note, two which would be covered later in the agenda and five for discussion at a later meeting. There were no other matters arising.

13 Summary report from Special meeting – confidential item

14 Committee engagement with the University Community

Adrian Parry, Executive Director of Corporate Governance, introduced proposals to enhance governors' engagement with the University community. Key points noted were:

i. The proposals were designed to address the need identified from responses to the Committee's recent self-assessment questionnaire to facilitate opportunities for better engagement between governors and the University community.

ii. It would be important to ensure that any proposals taken forward found support within the Board of Governors as a whole. This might be usefully considered within the context of the impending Board effectiveness review.

iii. The focussed one-hour online briefing sessions provided for governors during the Covid-19 pandemic provided an approach that should be preserved. The potential to offer a programme of one-hour sessions to enable key staff to provide briefings on their activities and objectives should be explored. It would be particularly interesting to hear perspectives from recently appointed staff who could also share insights that compared and contrasted the University with their experience of activities elsewhere.

iv. It was felt that pre-board briefings perhaps were best conducted face-to-face and that audience engagement and impact could often be diminished if they were run in tandem with a lengthy online meeting.

v. A programme of one hour online sessions would offer a valuable opportunity for governors to be briefed upon specific areas of activity within the University. It would also be valuable to hear from recently appointed key role holders who could reflect upon their experience in their role to date and provide helpful comparisons with their former roles and workplaces. However, it would be important to ensure that those invited to provide briefings did not feel that the opportunity was a burden by having to spend a large amount of time preparing and that there was good attendance from governance.

vi. Consideration might also be given to inviting staff and students to identify a topic that they would like to engage the governors on. They could then have a Q&A or debate that would allow them to explore the range of expertise on the Board. It was noted that this would be in the context of the Board's role as one of governance rather than

management so any event planned should be careful to make clear and reinforce that point.

vii. It was agreed that a programme of events should be identified. Invitations should be issued to the full Board as the topics would be relevant to all and it was important to ensure that such events were well attended. Any further complementary ideas that were raised in the context of the forthcoming Board effectiveness review should also be incorporated.

Action: Executive Director of Corporate Governance

15 Race Equality Charter (REC) update

Chris Chang, Pro Vice-Chancellor (Global Engagement and Education Partnerships) and Lesley Lee (Equality and Diversity Adviser (Charters)) introduced the paper. Key points noted were:

i. The University committed to the Race Equality Charter (REC) in July 2018 and aimed to submit for a Bronze award in February 2021.

ii. The University REC submission and action plan was being developed by the REC Self-Assessment Team, which had representation from across the University, including the Students' Union.

iii. Discussions with the Multi-Cultural Staff Network and with the BAME Student Ambassadors had informed the development of the REC submission. Staff and student surveys relating to race equality had also been conducted as part of the work, and responses had informed the submission and action plan.

iv. The REC submission supported the values and aims set out in the University Strategy, which included specific commitments to address racial inequality, particularly two major challenges - the comparatively low proportion of BAME staff and the attainment gap between BAME and white students in degree outcomes.

v. The REC complemented work on gender equality that was being undertaken through the Athena SWAN initiative. Actions which had been or would be developed for both charters would be cross-referenced for impact on both race and gender, avoiding duplication of effort. Work would also be undertaken to acknowledge and support the intersectionality of race and gender.

vi. The action plan focused on five strategic objectives to address key issues that had emerged from the development of the REC submission and analysis of University data. These were:

    a. To embed race equality and the REC across the University, through an effective, representative self-assessment team, working with robust data and in partnership with the Students' Union, supporting local activity and the University Race Equality Supporters Network;

    b. To increase the representation of BAME staff by ensuring our recruitment policies and processes support the achievement of race equality;

c. To enhance career development and promotion opportunities for BAME staff, increasing the number of BAME staff in leadership positions and tackling the ethnicity pay gap;

d. To tackle the attainment gap, significantly improving attainment of BAME students, with a particular focus on black students and males from the most deprived, reducing the attainment gap to 10% by 2024/2025;

e. To ensure the University provides a positive inclusive culture, where racism is not tolerated and there is a safe, supportive and fair environment for BAME staff and students.

vii. Committee noted the five high level objectives and proposed actions to address each item. Each section had a detailed underpinning plan with specific SMART actions, timescales and accountability. A RAG rating would be used to identify areas that were not on track.

viii. It was acknowledged that many issues required a change in culture which would take some time to achieve in some instances. The action plan was a "live" document that would be reviewed, updated and adapted as necessary to ensure that a difference was manifest.

ix. Regular monitoring reports would be produced on how objectives were being met and UEB would receive an update every six months. KPIs were being developed and would be monitored.

x. A key goal was to tackle the overt and subtle barriers that limited the development of an inclusive multi-cultural community that enabled all able to reach their potential.

xi. The Chancellor was supporting the self-assessment team with ideas and involvement to progress the delivery of objectives.

xii. It was acknowledged that it would be important to create an environment where staff and students could begin what may be seen by some as difficult conversations.

xiii. Committee thanked the team and all involved in developing the plan and wished them well in the final application for the bronze award.

16   People Delivery Plan

Alison Thorne Henderson, Executive Director of Human Resources, provided an overview of the People Delivery plan and its implementation. Key points noted were:

i. One of the strategic ambitions of the University was that by 2025 its vision would be delivered by inspiring the staff community to be creative and bold. This would be achieved via the four pillars of:

a. Inspire through shared purpose

b. Boost diversity and inclusivity

c. Realise staff potential

d. Embed wellbeing and resilience

ii.   Work streams had been established to facilitate the delivery of each pillar and work was underway to identify and implement appropriate supporting actions.

iii.   The People Delivery Plan would facilitate transformation within the HR Department in the ways that it worked inwardly and outwardly. It would also facilitate transformation in processes and practices across the University to ensure that they were effective and efficient.

iv.   An HR digital roadmap and digital integration tool was being developed. In addition, the extra iTrent modules would soon be brought online, empowering managers and improve data reporting.

v.   Committee noted the report and looked forward to receiving progress reports as changes were implemented.

17   Staff Engagement update

Committee received a verbal report from Helen Dunn, Deputy Director of Human Resources (Organisational Development) that provided an update on the plans for future staff surveys. Key points noted were:

i.   Due to the pandemic, the decision had been taken to postpone the staff survey planned for February 2021 to May 2021. It was felt that a low response rate would be achieved in February due to the competing and extensive additional demands on staff time.

ii.   Rather than the short pulse survey that was originally intended, the survey would contain 20 questions to gather baseline data.

iii.   The new survey platform would allow managers at departmental level to view the results for their team rather than just receive the University average data. This would support the development of fit-for-purpose local action plans to address issues raised.

iv.   It was noted that the last staff survey undertaken had been a short "check-in" survey conducted in July 2020 and had been specifically about how staff were coping during the pandemic.

v.   In response to a question, it was noted that while some universities had postponed their staff surveys because of the workload pressures created by the pandemic, others had not.

vi.   In discussion, it was agreed that even if staff reported no issues, that could not necessarily be taken as an indicator of a culture that promoted health and wellbeing. It was agreed that an articulation of what an inclusive culture that promoted health and wellbeing would look like and how this aligned with the University's strategic aims would be helpful to develop.

Action: Executive Dean of HR

vii.   Committee noted the update.

18 HR Policy Review

Becky Hopkins, Deputy Director Human Resources (People Services), introduced five policies for approval. The Board had delegated the authority to approve these policies to the Human Resources Committee. Key points noted were:

i. The policies had been developed in partnership with the recognised unions via UNCC and had broadly been agreed by UEB. There were a small number of outstanding internal discussions regarding these HR Policies, and in the event that these created any significant change in the content of the Policies, the HR Committee will be informed and asked to give approval.

Action: Deputy Director (People Services)

ii. In some cases, flowcharts had yet to be produced but they would match the process outlined in the relevant policy.

iii. University policies were reviewed on a regular basis and were updated to improve the experience of employees, to modernise HR Practice, and to engage and empower managers across the University.

iv. Following from the presentations on the HR Policy Review to the HR Committee given in September 2020, the following updated policies were presented for approval:

   a. Managing Under Performance (MUP) Policy

   1) The revised policy recognised that employees can experience dips in performance due to a variety of circumstances, including life events;

   2) The policy aimed to reduce anxiety and distress for those involved by ensuring that the initial informal stage was not part of the formal process, naming it an "Informal Management Period";

   3) "Improvement Notices" were proposed to be issued under the formal stages in line with ACAS recommendations;

   4) Appeals against warnings and terminations were in line with other policies included in the review such that termination hearings were dealt with by a panel of at least two Grade 10 and above managers. Appeal was to a panel of at least two UEB members

   5) It was noted that although redeployment was an option offered following under-performance in one role, this did not often result in the creation of new conditions that would enable an employee to flourish.

   6) The probation policy approved in September 2020 dealt with under-performance within the probationary period. It had similar principles but had more focused objectives and shorter timescales.

   7) Some anecdotal feedback from previous staff surveys indicated a perception that the MUP was either ineffectual or open to accusations

of bullying behaviour. The management assured Committee that the revised policy was a tool to be used by managers and that it gave clarity about the different stages to work through in its implementation. Training would be given to managers and investigators before the policy became live. It was accepted that a change in culture would be needed to make the most of the revised policy.

    b.   Managing Sickness Absence Policy

        1)   A new feature of the revised policy was that a return to work meeting was required after each absence;

        2)   Enhanced guidance was provided in circumstances where an employee returns to work during the dates stated on the "may be fit" or "not fit" certificate;

        3)   Employees who claim sick leave whilst on annual leave must comply with all sick notification requirements if they are to change the status of the leave;

        4)   There was more flexibility with the process under long term absence to recognise the nature of the circumstances and to enable these to be managed on a case by case basis. In addition, it provided for a tailored approach with proactive measures regarding rehabilitation, reasonable adjustments and ill health retirement discussions.

    c.   Anti-Harassment and Anti-Bullying Policy

        1)   This was a new policy, which separated some items previously covered by the 2016 Dignity and Respect Policy. This change was in response to recent Equalities and Human Rights Commission guidance;

        2)   Any complaints or grievances that cited allegations of bullying or harassment would be managed under this policy;

        3)   The Policy provided definitions of harassment and bullying, and protected characteristics as defined within the Equality Act 2010;

        4)   Given the sensitive nature of allegations raised in relation to harassment and bullying, there would usually be a separate investigating manager and separate hearing manager;

        5)   If allegations were upheld, follow-up action would be managed under the Disciplinary Policy;

        6)   In response to a question it was clarified that the statement on page 3 of the policy that:
'Wherever possible and appropriate the appointment of the Investigator and Hearing Manager will be from outside the Faculty/Department where the complainant works'

meant that for Academic Staff the manager would be from a different faculty and for a member of professional services it would be from a different department. It was agreed that this should be made clear in the policy.

Action: Deputy Director HR (People Services)

7) It was acknowledged that in the past the stipulated timescales within policies had not always been met, resulting in additional stress for those involved. The new policy stated that 'the investigation will be undertaken without unreasonable delay and all parties will be given a provisional timetable for the investigation'. This enabled realistic timescales to be set and agreed on a case-by-case basis.

8) The Deputy Director of Human Resources (Organisational Development) would maintain an overview of each case to ensure that there were not undue delays to the implementation of the stages of the procedure.

9) Committee were reassured that Investigation Officers would be appointed at an appropriate level of seniority and impartiality for each case.

d. Dignity and Respect Policy Framework

1) Minor changes had been made to the document, to reflect the new relationship between this framework and the new Anti-Harassment and Anti-Bullying Policy.

2) Definitions and examples had been enhanced to include references to Equalities Act 2010, the Equalities and Human Rights Commission and definitions developed by alliances such as the International Holocaust Remembrance Alliance and Stonewall.

e. Organisational Change and Redundancy Policy

1) This policy had been updated with some amendments for clarification. These included defining the stages of collective and individual consultation and noting that absences related to disability and pregnancy would be discounted when absence records were used for redundancy selection.

2) The composition of the appeal panel had been amended so that University Executive Board members rather than external governors fulfilled that role.

v. Committee thanked the team for their work and approved the:

a. Managing Under Performance Policy

b. Managing Sickness Absence Policy

c. Anti-Harassment and Anti-Bullying Policy

d. Dignity and Respect Policy Framework

e.   Organisational Change and Redundancy Policy

vi.   Committee was informed that the new policies would not come into effect for a few months until suitable training and communication had been undertaken.

vii.   Presentations would be made to faculties and departments outlining the new policies so that staff were aware what mechanisms that were in place to deal with inappropriate behaviour.

viii.   The University's retained solicitors would provide training on conduct and management of appeal hearings, supported by the University Employment Solicitor who would advise staff on the application of the policies.

ix.   The University Executive Board would manage the implementation timetable, ensuring training had been received by the appropriate staff.

19   Committee Business 2020/2021

Committee noted the indicative programme of work for Human Resources Committee meetings for the remainder of the academic year 2020/2021. It was agreed that when the report on the Gender Pay Gap 2020 – 2021 was presented to Committee, it should include information on where, and by how much, data had been impacted by the inclusion of services that would normally be contracted out at other comparator Universities.

Action: Executive Director of HR

20   Date of Next Meeting

The next meeting would take place at 1300 on Wednesday 24 February 2021.