

HR policy briefing

14 November 2024

Agenda

- Researcher Concordat with Frances Roqueza and Sarah Willcox-Jones
- Fixed term contracts masterclass
- Employment Rights Bill
- Protection from redundancy
- Holiday Pay
- General updates

Ruth Kinahan, HR Policy Manager, Kate Butler, Tracy Fahey, HR Policy Officers and Kathryn Fairhurst-Jones, Policy Officer (Governance)



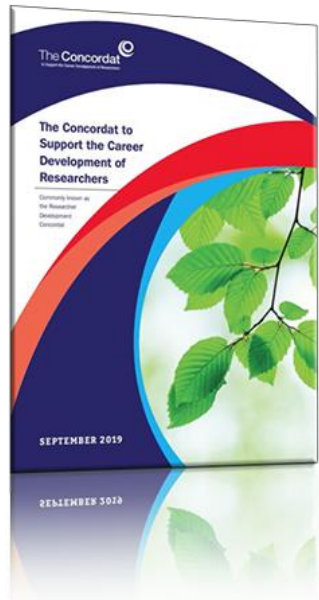
New Charter for the Career Development of Researchers & 'My Development'

Fran Roqueza, (Senior Communications & Engagement Manager, Researcher Hub)

Sarah Willcox-Jones (Business Change Manager, 'My Development' in PeopleXD)

[Photo of the Research Staff Consultation Group]

Background: Charter for the Career Development of Researchers



- [The Charter](#) briefly outlines what researchers can expect from the University and their responsibilities.
- Aligns with Oxford's commitments, as a signatory to the national [Researcher Development Concordat](#) and our own [Concordat Action Plan](#).
- It include commitments such as offering researchers access to Career Development Reviews (CDRs), 10 days of professional development time, pro rata, per year etc.
- It replaced the [Code of Practice for the employment & career development of research staff](#) on 31 Oct and is linked to the [Staff Handbook](#).

Purpose



It is a clear, concise reference for research staff and depts, designed to:

- Set expectations
- Support researchers with how to grow their career on a FTC
- Support equity and [Oxford's broader research culture initiatives](#)
- Help prepare us for REF 2029 and comply with funder requirements
 - REF 2029 has placed a greater weighting on the People, Culture & Environment assessment at 25% of the overall weighting.

Support for implementing the Charter commitments



- [Comms pack](#) & [FAQs](#) guidance (University Cascade - 2 & 30 October)
- Researcher Hub pages, e.g.
 - [Charter poster with QR code](#)
 - [Professional Development Planning](#)
 - [Career Development Reviews for Fixed-Term Researchers](#)
 - [Welcome events](#) & new online event - '[Your next career step](#)' (3 Dec)
- Researcher Hub drop-in sessions every Thursday from 3 – 4:30 pm online or in person at Littlegate House, 16/17 St Ebbes, Oxford OX1 3PT - researcherhub@admin.ox.ac.uk.
- Supportive conversations: [Research Culture Toolkit](#) roll-out by divisions (during MT/HT)
- System: 'My development' in PeopleXD to manage/record P/CDRs and professional development

Next steps for Charter 'lead' in depts/faculties



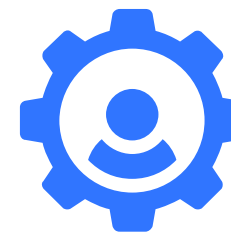
- Review the [Charter](#) with relevant colleagues to identify how the Charter can be leveraged to support existing local initiatives or where initiatives may need to be introduced.
 - You may wish to connect with your dept/faculty [Researcher Reps](#) and [Research Staff Academic Advocates/Champions](#).
- November is National Career Development Month, so it is a good opportunity to talk about the Charter and the support available to researchers, e.g. [Careers Service](#), [Oxford Researcher Staff Society](#) (OxRSS), etc.
- Review researcher professional development [FAQs](#).
 - They can be used as they are, customised for your dept/faculty, e.g. by adding relevant local information and your logo. A [Word version](#) is available to customise.
 - For equity reasons, please avoid messages that contradict central FAQ guidance.
 - Please [email us](#) if you have any feedback e.g. you would like a question added.

Continued...

Next steps for Charter 'lead' in depts/faculties



- Ensure that impacted stakeholders (such as researchers, academic managers/PIs and professional support staff) in your dept/faculty have been informed about how the Charter commitments are applied in your dept/faculty and that they have the support they need.
- Review local documentation, webpages or training where the Charter commitments could be leveraged and linked or where the old Code of Practice should be replaced.
- Find out how 'My Development' in PeopleXD can support with recording career development reviews (CDRs) and professional development time.
- Contact us if you need additional support: researcherhub@admin.ox.ac.uk.



Research Career Pathway Project 'My Development'

What is the Research Career Pathway Project?

- Two-part project, aiming to deliver a system solution for recording:
 - Online Career Development Reviews (CDRs)
 - Professional Development time (planned or taken)
- Working closely with Rachel Bray in the Researcher Hub and the HR Systems team, we are introducing new functionality, 'My Development', in HR Self-Service (PeopleXD)
- 'My Development' will be rolled out in waves from November 2024 through to Trinity Term 2025 (based on our engagement with individual departments)
- We have developed CDR questions based on existing CDR forms used across the University, with input from the Researcher Hub.

Benefits of the system;

There will be key benefits for a CDR system:

- ✓ *To meet our commitments to the National Concordat*
- ✓ *To make it easier to provide data to other external bodies about how we support Researchers with their careers, e.g. REF, Athena SWAN, funders*
- ✓ *To improve the uptake of CDRs and professional development activities in support of an improved researcher experience*
- ✓ *To make it easier to record CDR/professional development, i.e. reduce admin burden*
- ✓ *To make it easier to get hold of useful data so we can identify areas for improvement in how we support researcher career development*
- ✓ *One digital space for Leave, Development Days and CDRs/PCDRs*
- ✓ *For HR staff, link through to existing PXD data e.g. new starters, management structure*

Overview of the project November 2024

We are working with the HR Systems team, Researcher Hub and the Access Group on implementation timescales and constructing the system set up

So far we have;

- ✓ Collated as many PDR and CDR forms from across the university as possible, using this information to design PDR and CDR content
- ✓ Understand the current cycles of CDR/ PDR
- ✓ Working closely with the POD team and the Researcher Hub on content and process mapping
- ✓ Established the forms in the system
- ✓ Tested (lots!)
- ✓ Created Training Materials and carried out UAT

Next steps:

- Working with Departments and feeding back lessons learnt into the training material and roll out approach
- Training HR colleagues
- Rolling out across the university (starting next week)

Questions & Contacts



- We recognise that depts/faculties are at different stages of implementing the Charter/Concordat commitments. Please feel free to contact us if you need additional support:
 - researcherhub@admin.ox.ac.uk
 - We also run drop-in sessions every Thursday from 3 – 4:30 pm online or in person at Littlegate House, 16/17 St Ebbes, Oxford OX1 3PT.
- Please note, we work closely with your [Divisional Research Culture Facilitators](#).
- For 'My Development' PeopleXD Project queries, please contact:
 - researchercareerpathwayproject@it.ox.ac.uk or sarah.willcox-jones@it.ox.ac.uk

Thank you!



Fixed term contracts - Masterclass

What we'll cover:

- 1) The fixed term contract University Appeals Process
- 2) Why use a fixed term contract
- 3) How to manage and end fixed term contracts
- 4) What to do when someone on a fixed term contract goes on family leave
- 5) Systems considerations and processes

Note: Not covering apprentices as these are subject to different arrangements.

Fixed term contracts - Masterclass

University Appeal Panels

- Appeals against the end of Fixed Term Contracts are heard by a University Appeal Panel (UAP)
- Role is to decide whether the end of the fixed-term contract was for a legitimate reason
- HoD will normally attend, supported by HRBP – lots of paperwork to prepare...
- UAPs are time-consuming for everybody involved, and best avoided!
- Making sure that you follow each step of the procedure – common mistakes include:
 - Not sending letters at the right time
 - Not chasing up on the offer of a consultation meeting
 - Make sure that the rationale for ending the FTC is solid
- Seek HRBP advice – it might help avoid an appeal...

Fixed term contracts - Masterclass

First principles

- 3 types of employment contracts at Oxford:
 - **fixed-term** – where there is an objectively justifiable reason
 - **open-ended externally funded** - where there is a 'reasonable prospect' of long-term need for the type of work and the external funding to support it and
 - **Permanent** - where the post is 'essential' and it is funded from 'general university income'
- See [Contract type | HR Support](#) for full details
- The contractual ts and cs, benefits, etc are the same across all types - the difference (aside from length) is the University's termination procedure for different contract types.
- Fixed-term workers are protected from unfair treatment by the [Fixed-term workers regulations](#)
- Frequent confusion about the 'right' to a permanent contract after 4 years
- Sections 8 and 9 of the Regs set out the rights of FTC employees to ask why they are not permanent if they consider there is no objective justification to be fixed-term (UCU provide template letter). Only 21 days to respond, send all requests to HRBP immediately.
- Fixed-term contracts have a template cover letter explaining the objective justification for the fixed-term, because we have to state this at the start.
- Important to get this right.

Fixed term contracts - Masterclass

Cover letter agreed justifications explain reasons FTC may be used

This contract is fixed-term for the following reason(s): [select a reason/multiple reasons from the list below and provide detail as necessary]

1. you have been appointed to cover temporary staff absence [provide details, e.g. sabbatical leave, parental leave, sickness absence, secondment]
2. you have been appointed to provide specialist expertise or experience which is required for a specific time or for a specific project [provide brief details of project or reason for time limit]
3. you have been appointed to develop a product or service for which the outcome and future need is uncertain [provide brief details of e.g. the course or service which is under development]
4. the post to which you have been appointed is intended specifically to provide a time-limited period of training or development [provide brief details]
5. you have been appointed to work on [provide specialist expertise or experience to] a research project which is dependent on an external research grant and for which there is no expectation that the work will continue beyond the availability of that external funding [provide details of project and grantor]
6. the appointment is limited to the fixed period for which you have been granted a valid visa or work permit

Soon adding new option:

[if the underlying role is permanent but a fixed term contract has been issued for visa reasons add

- **Please note: the role you have been offered is a permanent post, so your employment contract will renew each time your XXX visa renews. Should you gain Indefinite Leave to Remain, your contract will be reissued as a permanent contract.]**

Fixed term contracts – Masterclass

- Procedure for managing and ending fixed-term contracts [Managing and ending fixed-term contracts | HR Support](#)
- FTC has an end date set from the start so the procedure is for '*managing* and ending FTCs'
- you **and** the PI/line manager and the FTC member of staff need to plan the actions needed throughout – it's not just about the last few months.
- Most FTC are researchers and the Researcher Hub and activities of the Concordat/Charter set out our commitments to ensure that:
 - whilst at Oxford staff are provided with career development support
 - so that they have the best chance of continued employment/active career development after the end of FTC

Fixed term contracts - Masterclass

- Summary of key dates
- **On a rolling basis, looking 12 months ahead:**
 - Make it part of your HR calendar to regularly review forthcoming contract end dates
 - Remember that staff on FTCs are entitled to be slotted into suitable jobs, without advert
 - Look at future plans and maintain regular discussions with line manager/PI
 - Encourage PIs to keep their staff up to date and to discuss plans in 1:1s, PDRs, CDRs etc
 - Pay particular attention to staff with more than 4 years continuous service **at Oxford, not just in this role**
 - Where relevant give consideration to whether an Open-ended externally funded contract might be more appropriate ([Fixed-term contracts: regular activities | HR Support](#))

**AS SOON AS IT IS CLEAR THAT A CONTRACT IS LIKELY TO END START THE PROCESS -
DON'T WAIT UNTIL A PARTICULAR TRIGGER DATE**

Fixed term contracts - Masterclass

As soon as it is clear that end of FTC process needs to be considered, review the justification[s] - do they still apply ie

1. the employee was covering a post during a period of maternity leave/other absence **and the substantive postholder is returning to their post** [NB not redundancy as the post is continuing]
2. the employee was needed to provide some specialist expertise for a particular project; ensure that **the project no longer needs these skills, or that the project is now ending** [redundancy]
3. the employee had particular skills and experience which were required to develop and set up a new service but **different skills and experience are required to manage and/or deliver the service on an ongoing basis** [redundancy, but potential redeployment into new roles being established]
4. the employee was employed whilst, eg, undertaking a clinical PhD and the **PhD is now complete** [not redundancy]
5. the post was to provide specialist expertise on a research project which was externally-funded for a limited time and either the project has ended or no further funding is available to continue the project, so **work on the project will cease or diminish** [redundancy, but pay special attention to redeployment into new /alternative roles within research group or department – ie end of FTC is not a proxy for performance management]
6. the period of the individual's visa or work permit is ending and **no further visa can be obtained** [care needed to ensure this is robust]

NB: the end of an FTC should not be regarded as a way of resolving a situation in which an employee's conduct or performance is considered unsatisfactory

Fixed term contracts - Masterclass

- Two processes (NB this may change – Employment Rights Bill)
- Less than 2 years continuous service at Oxford (not just this role).
 - 3-4 months reminder of end date
 - Support with redeployment, can apply for internal only but not priority candidate. Entitled to time off for job search
 - 1 month before end further reminder
 - No redundancy pay
 - NB if the employee is pregnant, or is on, or has taken family leave for a child born or placed within the last 18 months additional protections apply – speak to your HRBP ASAP.

[Fixed-term contracts: as end date approaches \(less than 2 years' service\) | HR Support](#)

Fixed term contracts - Masterclass

More than 2 years service at Oxford

Summary of key dates

Where no extension/redeployment is already in train:

- **At least ('no later than') 4 months** before the end date of the contract, the department and line manager should consider all alternative options to the expiry of the contract, including redeployment within dept

If extension/redeployment not confirmed:

- **At least 3.5 months** before end date, send invite for consultation meeting so that...
- **At least 3 months** before the end date of the contract hold a consultation meeting with the employee (with at least 5 days' notice) [template form setting out points to discuss].
- If the employee doesn't reply, send reminder.
- The employee is considered a priority candidate from this point, unless they formally opt-out using the template response.
- Templates available including reminder emails.

Fixed term contracts - Masterclass

Consultation meeting

- Before final decision is made on ending employment
- Genuine opportunity for the individual to put forward any suggestions as to how the contract could be extended, etc.
- Record discussions [[Record of consultation template](#)]
- You need to be able to demonstrate that suggestions put forward by the employee-have been considered by an appropriate decision maker. This may need additional discussions (ie with a decision maker if they are not present at the consultation meeting) and a note of this should be kept

Fixed term contracts - Masterclass

Summary of key dates (cont'd)

Where redeployment/extension has not been possible:

- At least ('no later than') 1 month before the end date of the contract, confirm that the contract will expire.

[if BH or FC in this period send letter earlier where possible].

- If the member of staff is absent from work, the letters should generally still be sent – please consult your HRBP in particular if the reason for absence is family leave.
- Redundancy pay may be due – check (statutory redundancy pay – [Gov.uk calculator](#))
- It is 'compensation for loss of post' – not funding to keep you afloat whilst unemployed. So payable even if they have secured another, external, post. If redeployed, employment continues and no redundancy payable.

See the full guidance: [Fixed-term contracts: as end date approaches \(2 or more years' service\) | HR Support \(ox.ac.uk\)](#)

Fixed term contracts - Masterclass

Fixed term contracts and family leave

- FTC staff have the same rights to statutory and contractual family leave schemes as those on open-ended or permanent contracts.
- Eligibility criteria are that employee must have
 - i. started work with the University before their child is born (or placed with them for adoption), and
 - ii. not already commenced family (maternity, adoption, paternity or shared parental leave), and
 - iii. **intends** to return to work for the University after their period of family leave
- As long as FTC *intend to return* they are eligible. But entitlement to contractual scheme requires a contract to be in place.
- If contract ends without redeployment, contractual pay ends but statutory pay may continue (not return-dependent). NB this is paid as a lump sum with final pay.



Protection from redundancy

- Protection from redundancy (Pregnancy and Family Leave) Act 2023:
- From 6 April 2024 additional protection from redundancy for those who are:
 - pregnant (or have recently had a stillbirth or miscarriage),
 - are currently on, or have recently returned from a period of family leave and the child was born/placed within last 18 months
 - see [Fixed-term contracts: as end date approaches \(less than 2 years' service\) | HR Support \(ox.ac.uk\)](#).
- NB protection applies even where the employee has less than 2 years' service which (ie even if not eligible for redundancy payment).
- If an employee has been employed by your department for less than 2 years you may need to ask if they fall into a protected groups.
- Be wary of assumptions and remember that ShPL can be taken by colleagues of any gender and any age, so do not apply a 'best guess' approach.
- These staff must be given priority consideration for redeployment opportunities. This means that they must be prioritised **over** other candidates, including other priority candidates. And do not need to go through competitive process (unless multiple staff in same category)
- Please speak to your HRBP if you have any cases falling into this category.

Managing fixed-term contracts in PeopleXD

Michelle Williams

Recording fixed-term contracts in PeopleXD

- Mirrors the contract/ change letters (eg extensions)
- Entered when recording :
 - New appointments (eg new starter, new secondment etc)
 - Any change to appointment sequence (eg change in hours)
- Different “Contract extensions” require different system actions. Always refer to the **Staff Request and Contract Decision** tool



Recording new appointments and any change to existing appointment sequences:

1 Organisational Structure

2 Contract Information

Dates

Effective Date* 17-May-2022

Target End Date 31-Oct-2023

Planned End Date 31-Oct-2023

How to find the current contract end date:

Key Information

Contracts

Manager

Current Salary

Pension Contributions

Cost Allocations

User Defined Data

Onboarding

Probation Details

Appointment ID: [redacted] Status: [redacted] Emp Status: FIXED TERM

Amendments

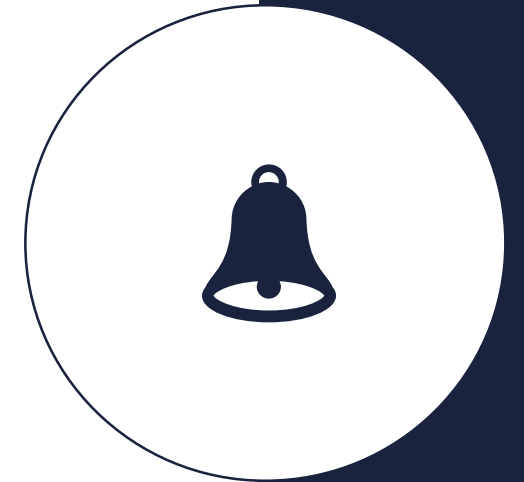
Start Date	End Date	Target End Date	Post No	Post Sequence	Reason
17-May-2022	31-May-2022	31-Oct-2023	242951	7	ADDITIONAL WORK REQUIRED
07-Jun-2021	16-May-2022	31-Jul-2022	242951	6	ADDITIONAL WORK REQUIRED
01-Oct-2020	06-Jun-2021	30-Jun-2021	242951	5	INCREASE IN HOURS
17-Feb-2020	30-Sep-2020	30-Jun-2021	242951	4	ADDITIONAL WORK REQUIRED
11-Feb-2019	16-Feb-2020	31-Jul-2020	242951	3	INCREASE IN HOURS

Monitoring fixed-term contracts

1. Run the PERDEP02 FTC END DATES reports monthly.

Separated into four different data sets:

1. All current staff with fixed term contracts
 2. Fixed-term contracts due to end (*eg next 12 months*)
 3. Missing end dates
 4. Lapsed end dates
2. Run the PERDEP01 Staff in Post report (full data set) regularly
 - To see staff who are fixed term with long continuous service



Anyone with access to People Management in PeopleXD will have access to these reports

PERDEP02 List of FTCs Due to End

Personnel Number	Title	Surname	Initials	Appointment ID	Post Number	Post Sequence	Location	Department Code	Department	Job Title	Contract Start Date	Target End Date	Grade	Point
	Mr					2	228	KA	ACADEMIC REGISTRAR'S OFFICE			31/01/2025		4
	Mr					2	228	KA	ACADEMIC REGISTRAR'S OFFICE			31/03/2025		1
	Dr					2	255	KA	ACADEMIC REGISTRAR'S OFFICE			17/06/2025		2
	Mr					3	489	ML	ACADEMIC RESOURCES & INFORMATION SYSTEM			30/09/2025		3
	Mr					1	450	ML	ACADEMIC RESOURCES & INFORMATION SYSTEM			31/12/2024		6
	Dr					8	287	MH	AFRICAN STUDIES			31/08/2025		4

PERDEP02- Fixed-term contracts due to end –
Enter date range, eg next 12 months

Forename	Sex	Date of Birth	Age	Latest Start Date	Continuous Service Start Date	Continuous Service End Date	CS Override Start Date	CS Override End Date	Length of Service	Total Length of Service	Continuous Service Duration
	Female			27/08/2007	27/08/2007				17.2	17.2	17.2
	Male			01/10/1981	01/03/1998				43.1	26.7	26.7
	Male			01/12/1982	01/11/1999				41.9	25.0	25.0
	Female			04/01/1983	01/03/1998				41.8	26.7	26.7
	Female			03/12/1984	01/03/1998				39.9	26.7	26.7
	Female			28/01/1985	01/05/2000				39.8	24.5	24.5
	Male			03/03/1985	01/03/1998				39.7	26.7	26.7
	Male			18/03/2019	18/03/2019				5.6	5.6	5.7
	Male			01/08/1985	01/08/1985		01/08/1985		39.3	26.7	39.3

PERDEP01 Staff in Post report (full data set) – *apply filters to identify staff who are fixed term with long continuous service*

Fixed term contracts – Masterclass

Questions?

Holiday Pay

- Rolled up pay reintroduced for:
 - Casual examiners
 - Casual teachers
 - Student ambassadors
- Applied via use of new allowance code: calculation automatic and allows holiday pay to show as separate line on payslips
- Other casuals/variable hours staff accrue holiday as worked
 - Can be paid for it when it is taken (pay as hours not holiday pay)
 - or paid in lieu at the end of the appointment (pay as holiday pay)
- Note that employers still need to ensure that staff have the opportunity to take sufficient leave during the course of a holiday year – ie you could not pay someone rolled-up holiday pay and then employ them to work the whole year without there being an opportunity within that period for them to take at least a minimum of 28 days leave (pro rata if appropriate)

Holiday pay FAQs

Following the announcement in the HR Newsletter we have put together a list of FAQs to help answer any questions.

- New allowance – **only** use for casual teaching and student ambassador appointments. Will be rejected if applied to other posts
- Rate of pay for holidays – set in the letter of engagement, don't alter. 12.07% for casuals, 17.1% or more for employees
- Leavers – action everything together (final payment, holiday pay in lieu, making a leaver)
- Question of how to record holiday accrual (pending WFM)
- spreadsheet? Find best practice through networks?

See the full Holiday Pay FAQs at [Holiday calculation | HR Support](#).

General updates

EJRA and Grade 10



- As a reminder, since 18 October 2022 the Employer Justified Retirement Age (EJRA) now only applies to academic staff and academic-related staff at grade RSIV, and clinical equivalents.
- In the June 2024 EJRA round the EJRA Committee received some applications from members of staff who were subject to the EJRA in their current role but who would be moving into a Grade 10 post with effect from their retirement date. Grade 10 posts are not subject to the EJRA and therefore no EJRA application is required.
- The HR Website [Recruitment without advertising | HR Support \(ox.ac.uk\)](#) has been updated to clarify that appointments to Grade 10 to retain a member a staff who is subject to the EJRA to work beyond the EJRA can be made through the usual direct appointments process, without needing EJRA Committee approval. The full EJRA policy and procedure are available on the [EJRA website](#).

General updates

Dual/Multiple Appointments

- A reminder of the current guidance (see [Offering employment | HR Support \(ox.ac.uk\)](#))
- Employees may hold two (or more) part-time appointments with the University but they **must not** be employed for more than 1 FTE in total.
- Issues arising inc. complications around holiday, maternity and paternity leave, and managing cases of long-term sick leave and pay, as well as redundancy payments.
- Also, H&S and general duty of care issues with ongoing long hours.
- JD template includes new wording for candidates and recruitment system being updated to underline.
- Speak to your HRBP if you have current cases.



General updates



Prevent Duty training

- Please complete online training - [Training | Compliance](#)
- 1 hour session available, as well as a 2 pager and a new 30 minute version is being added
- Take up is monitored and reported to OfS

Work+Family Space

- Subscription now ended
- We have removed references from central pages, docs, please update any local webpages or templates

Employment Rights Bill



- Many significant changes are unlikely to be implemented before 2026 and will require secondary legislation and codes of practice to provide further detail.
- Some consultations have already commenced, including those addressing Statutory Sick Pay (SSP) reforms and proposed changes to Trade Union legislation; further consultations are promised for 2025.
- Significant issues for the University include the following:
 - Protection from unfair dismissal becoming a Day One right;
 - Changes to Trade Union legislation including the turnout threshold for Trade Union industrial action ballots being removed and changes to collective consultation;
 - Changes to zero hours/variable hours workers rights;
 - Changes to family leave;
 - A new statutory right for bereavement leave; and,
 - Enhanced protection from dismissal for pregnant women and new mothers.