

Between:

MR P RODDIS

Claimant

-and-

SHEFFIELD HALLAM UNIVERSITY

Respondent

Witness Statement of Mark Leader for Preliminary Hearing

I Mark Leader will say as follows:

1. I make this statement for the purposes of the Preliminary Hearing to be held on 17th and 18th April 2019. The statement concerns the issue of whether Phil Roddis was engaged in the same or broadly similar work to me during his employment by Sheffield Hallam University (“the University”).
2. My employment with the University terminated on 31st December 2018. I accepted voluntary redundancy. Prior to then I was employed as a Senior Lecturer by the University in the Faculty of Arts, Computing, Engineering and Sciences (ACES) (now renamed STA, Science, and Technology & Arts). I taught mainly political theory with a media focus, along with some media theory. I was appointed to the Senior Lecturer role on 1st September 2010. Prior to that I was employed as an Academic Lecturer from 1st September 2008. Before then I was employed as an Associate Lecturer (“AL”) on a zero hours contract. Before I became an AL I was employed as a researcher between 1993-98.
3. I have read the witness statements of Marie Williamson (“MW”) and Patrick Wichert (“PW”), both of whom will be called as witnesses by the University. I will make references and comment on both witnesses as part of this statement.
4. My AL contract was “converted” into the full time Academic Lecturer contract using the University’s Policy for Conversion which is at pages [155-160] of the bundle. In

paragraphs 18 and 23 of her statement MW focuses on the conversion process. She refers to research and suggests that in order to be converted into a Lecturer/senior Lecturer role individuals would have to show a keen interest in research and that ALs struggle to demonstrate research ability amongst other things. When I successfully applied for conversion, there were several other applicants and I recall that Dr R Jackson the person with the strongest research track record was not converted.

5. As a full time Academic Lecturer my weekly contractual hours were 37. The academic year is 38 weeks. This means that the annual contractual hours are set at 1406 hours (see pages [79-80] of the Academic Work Planning Policy (“AWPP”). Of the 1406 hours, 462 hours per year are allocated as the normal maximum scheduled teaching duty (STD) hours. These hours are then multiplied by at least a factor of two to reflect preparation, administration and assessment. I always stuck to SHU UCU Branch policy, which is that we only recognise 462, all non-teaching should have an allowance against 462, and 462 hours should be multiplied by 3.04 (to arrive at 1406). That is all I would discuss with PW from 2012 when he became my work planner; what he did on paper or online system I don't know.
6. I do not consider my academic record or background as being significantly different to or better than Mr Roddis'. I have seen his CV at pages [117-118] of the bundle. He has a Bachelor's and a Masters degrees. I have a Bachelor's degree as well as a postgraduate teaching qualification. In terms of experience, Mr Roddis has been teaching university students since around 1986. I began teaching university students in 1996.
7. My contract of employment as a full time and permanent Academic Lecturer, dated 1st September 2008, is at pages [50-57] of the bundle. I have seen a copy of Mr Roddis' contract dated 6th February 2006 at pages [29-36] of the bundle. The generic job description (JD) for Academic Lecturers is at pages [141-142] of the bundle and that of the AL is at pages [128-129] of the bundle.
8. The main work of both roles is teaching. At the relevant time when Mr Roddis was employed by the University from 2006-2014, I mainly taught academic skills, along with political theory with a media focus. This involved preparing, planning and delivering lectures and seminars; setting and marking assignments; supervising final year

dissertations (from 2010). Mr Roddis would have done the same for his subjects. When I was an AL I did the same. As an Academic Lecturer I would also attend course development meetings and faculty meetings. Again I know Mr Roddis attended such meetings. When I was an AL, I also attended such meetings.

9. At paragraph 10 of his statement PW says that all Lecturers/Senior Lecturers in his subject group either fall in the category of being research active to a 'REFable' standard or are actively coached to progress their research outputs to meet the REF threshold. My understanding is that the REF (Research Excellence Framework) is the system for assessing the quality of research in UK higher education institutions. It replaced the Research Assessment Exercise (RAE). The REF is aimed at rating the quality of research and allocating funding accordingly, with higher rated universities receiving more funding. In addition REF scores are also used to rank universities in league tables, which may impact on a university's ability to raise income from student tuition fees. I do not accept PW's characterisation of the lecturers in his subject group. The impression given is that all lecturers are either actively carrying out research to a 'REFable' standard or are being coached to do so. The attached list of staff submitted for RAE for Communication, Cultural and Media Studies was 12 full time equivalent (FTE) staff for the whole department. The submissions would have been made for the RAE in 2008. At that time, there would have been around 40 lecturers in our subject group alone, the following lecturers were submitted – Attwood, Cere, Clarke, Doherty, Hall, Jones, Postill, Ryall, Waddington, Williams, and Yates. To my knowledge only nine or so of them were in our department as a whole and fewer in the subject group. For the 2014 REF the attached document from the University's own website shows that 24.8 FTE staff were put forward by the department for Unit 36, "Communication, Cultural and Media Studies, Library and Information Management". The 24.8 is composed of staff across many different departments and three faculties. From our department as a whole, there were 8FTE (Adams, Canter, Cere, Clarke, Deller, Hogg, Waddington, Yates). More specifically from the subject group of the time: 3FTE (Cere, Deller, Hogg). This demonstrates that during the relevant time period all lecturers in PW's subject group were not research active to a 'REFable' standard or being coached towards it. I would also add that I had never received any form of active coaching from PW or anyone else to carry out research or progress research to REF standard. To my

knowledge few if any of my close colleagues received any form of active coaching between 2006-12 either.

10. I am aware that the two contracts and job descriptions contain some differences. One being that my contract and job description includes clauses regarding research. It is said that one of my duties is to identify and conduct research and scholarly activity relevant to the lecturing role (page [142] of the bundle). Throughout my career as a lecturer, both as an AL and Academic Lecturer with the University, I have carried out research to prepare lectures/seminars and keep abreast of any developments in the subjects I have been teaching. However, I have not carried out academic or scholarly research for the express purpose of publication since 1998. I expect that Mr Roddis would also have carried out research for teaching purposes. It would be difficult to teach students without researching your subject area and in order to keep abreast of developments.

11. Again referring to research, at paragraph 50 of his statement, PW states that I was an anomaly in that I was required to carry out research and scholarly activity and that I did not produce any REF-able research. The results document produced by the University for the 2014 REF shows that 226 staff from just 11 departments were submitted for the REF. The extract from the University's financial accounts for 2014 [page of the bundle] shows that there were 2,350 academic staff which included ALs. 226 submissions from a total of 2350 is a very low number of staff put forward for REF 2014.

12. I was not aware that RSA time was not being allocated to my work plans after 2012/13 and am shocked that this was the case, as I was carrying out the requisite research and scholarly activity required to keep abreast of my subject area. I did not submit research proposals or present at conferences during this period as my work plans were already full of other activities. PW never questioned me on this. He agreed my work plans and was satisfied they came within the parameters laid down by his management superiors who would subsequently check them. Nothing was ever raised with me as a result of this further examination of my work plans.

13. I am surprised that PW says, at paragraph 22 that he found me a difficult individual to manage. He never raised any concerns with me whilst he managed me. I would have

expected a conscientious manager to raise any concerns with me. I would also add that I was promoted in 2010 to SL from Lecturer. This required completing a very detailed form and providing evidence that I was already in possession of the requisite skills, abilities and experience required of a SL. The form was then considered by the Faculty Regrading panel and I was regraded to SL. It seems strange to me that I would be promoted if I really was so anomalous and not fulfilling a large part of the lecturer duties as is now claimed. PW also implies that in well over twenty years of delivering countless lectures and seminars on a number of courses I either got others to write them for me, or benefitted from their research. This is both ridiculous and insulting. While I did not do research for publication, I certainly did constant research to write and improve teaching materials and develop the courses I taught on. I did this as both an AL and a SL.

14. One other potential difference between my work and that of Mr Roddis is that since 2008 I have had some sort of academic tutor role for varying numbers of students. The University's scheme for academic/pastoral support changes most years; sometimes one or two individuals are given the task and at others, such as currently, every permanent member of staff is given a number of students (in my subject area that is; arrangements generally differ between subject areas). Whatever scheme is in place it is essentially about students having a named person for support. We are to contact our students each semester and invite them to meet. In our subject area only a small percentage of students ever avail themselves of the offer. For this we receive varying amounts of hours against the 462 hours of required teaching. It would be very difficult for someone on an hourly contract to act as an academic tutor, mainly but not exclusively, because the AL would have to be paid at the AL hourly rate. I was never given academic tutees as an AL, purely because of the extra cost to the University. I also do not consider that this is a significant part of my role, forming just 4% of the 462 hours in some years. The JD for AL envisages that they would act as Tutor, but this does not happen for the reason stated above. This does however, inevitably happen informally. Students ask for help from those that they know best i.e. their teachers, whether this is for academic or pastoral support. As an AL I gave this support 'for free' as do all other ALs. This is both because we are humans with empathy and care for others, but also because we would lose the trust and respect of students should we appear not to care and simply pass them on to others. ALs are representatives of the University to students who make no contractual distinction.

15. I am aware that Mr Roddis has been a module leader during his time as an AL e.g. in 2008-9 he led on the Professional Academic Development module. Thus there is no inherent difference between the two roles which excludes ALs from module leadership. I too was given hours for module leadership on the Professionalism & Communication Skills Module while an AL and know that other ALs were or are module leaders in subject areas across the University e.g. M Blood, P Cogill, K Taylor. It is also the case that it is not unusual for full time Academic Lecturers not to be module leaders. I and others e.g. S Kivland, L Haynes, have been or are in that situation (in areas of the University e.g. Sport, the practice is not to give new lecturers module leadership in their first year). I do not consider leading on a module is a significant difference between the two roles. There is nothing in this or any other facet that should preclude an AL from being an Academic Lecturer. PW claims in paragraph 21 that lecturers deliver professional development training to colleagues, attend team away days and train student mentors. I have certainly never done this, and am not aware that any of my colleagues have either, other than attending team away days. ALs also attend team away days, for example in January 2018 when we redesigned the subject group's assessment strategy, L Cope and K Murphy, both ALs, were present and played a full and equal part.

16. In paragraphs 26 to 43 of his statement PW gives the impression that all academic lecturers carry out all the duties under the heading of management and administration. This is not the case, I and many others did (do) not and had (have) not carried out many of the duties he refers to. A number of these activities are carried out by individuals in specific roles, such as Course Leader (CL), or by Principal Lecturers (PL). The job description of L/SL is a super-set of activities that each person carries out a sub-set of. It should also be noted that not all of the activities contained in the current job description which PW uses were part of the one(s) covering the period 2006-12. Indeed they have been and are being constantly added to (there is also a process of 'grade drift' i.e. including higher level activities in lower grade JDs) without agreement of the recognised trade union as they are not deemed to be contractual issues. It is instructive that SHU have not provided a witness or witnesses at L/SL grade who can prove performance of all of the duties listed.

17. In paragraph 28 PW asserts 'Lecturers take a leading role in relation to student recruitment and admissions, and must prepare for trips and the induction week for students each academic year. This includes planning logistics as to which sessions will take place, and which students should attend, where and when. Senior Lecturers are also responsible for interviewing potential candidate students, attending career fairs, hosting open days and attending UCAS fairs'. This work is undertaken by the CL or by PLs with specific responsibility. Other than attending perhaps five open days in ten years I did none of this (this is voluntary as open days are nearly all at the weekend and L/SLs are not contractually obliged to work weekends) and neither did the majority of my close colleagues.

18. In paragraph 29 PW asserts 'Lecturers are required to engage in generating income and developing and understanding of (sic) marketing needs, including contributing to business enhancement and maintenance of customer-focus. This also includes conducting market research to assess the competitiveness and demand for new courses, analysing the progression and pass rates for courses and evaluating module delivery and student performance. It also involves working in the wider community around the University, involving working with schools to generate student numbers and also working with the relevant industry in relation to student placements and collaborative projects'. Other than reflecting upon my own module delivery I did none of this work and neither did the majority of my close colleagues unless they were CL or a PL with specific responsibility.

19. In paragraph 30 PW claims 'it is not common practice for ALs to attend subject group and team meetings'. During the relevant time period ALs such as R Deller, M Blood and R Jackson regularly did so in our subject area.

20. In paragraph 32 PW claims 'Lecturers are also responsible for organising the delivery of teaching, which includes course management- planning how courses and modules will run and when and what the modules should include'. Other than deciding what my modules should include, which ALs are also involved in, I did none of this work and neither did the majority of my close colleagues unless they were CL or a PL with specific responsibility.

21. In paragraph 33 PW asserts: 'Planning the delivery of teaching includes looking at how a whole course will be taught, liaising with colleagues in the department and working together to look at the styles of learning and teaching assessment used more broadly in the department, and looking at ways to improve them, and developing strategies to assist with this'. Other than that referred to in point 15 above, in which ALs were also involved, I did none of this work and neither did the majority of my close colleagues unless they were CL or a PL with specific responsibility.

22. In paragraph 36 PW asserts 'Lecturers have management responsibilities, in that they are required to motivate and encourage colleagues and to seek ways for their team to be more efficient and to improve, contributing to the achievement of not only what they teach, but their team objectives' and 'Personal effectiveness will typically include improving NSS (National student survey) grade, gaining Gold in the TEF, engaging more companies within the placement scheme and reviewing BAME student engagement and achievement'. These are anachronistic examples of 'grade drift', the attempt to impose management responsibilities on non-managers. I did none of this work and neither did the majority of my close colleagues unless they were CL or a PL with specific responsibility.

23. In paragraphs 37 and 38 PW claims that ALs are not as involved in the marking, moderation and administration of the assessment process as L/SLs. As an AL I did exactly the same in this respect as my permanent L/SL colleagues, including the administration aspect when module leader. As a SL leading modules on which ALs worked they did exactly the same as I e.g. G Martin, other than some very basic administration and form-filling. Anything more complex i.e. the course review is the responsibility of the CL. Often ALs are very experienced educators who have worked in other colleges or universities or retired from SHU – before I left SHU PW asked if I would be interested in returning as an AL for example – and as such their knowledge and experience is valuable. PW attempts to portray them as lesser than L/SLs, and requiring supervision. This is rarely the case.

24. In paragraph 41 PW claims that there is a difference in attendance at 'campus' between ALs and L/SLs. There is no different attendance requirement for L/SLs, indeed ALs are often on 'campus' more than L/SLs (particularly since the advent of open-plan offices)

and can have significant gaps between classes. This led to the provision of AL base rooms where they have hot-desk office space. 'Office hours' for L/SLs form part of the STD hours. If they are not added to one's work plan, one should not do them. I certainly didn't.

25.I have been both an Associate and an Academic Lecturer. When I was an AL, I carried out a punishing volume of teaching, often in the region of 500 hours per annum in a relatively short working year, in order to earn a living. When I became an Academic Lecturer my teaching load significantly reduced while my income significantly increased. I firmly believe that there is very little difference between the two roles.

This statement is true to the best of my belief and knowledge.

Signed:- MJ Leader.....Dated:- 14/3/2019.....