

# Zero-hours contracts

## A UCU briefing

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### **WHAT ARE ZERO-HOURS CONTRACTS?**

People on zero-hours contracts agree to be 'on call' and available for work but the employer is not obliged to provide regular work, no set number of hours are specified and people are only paid for actual hours worked. Instead of working a specific number of hours per week, employees must be ready to work whenever they are asked.

### **UCU POSITION ON ZERO-HOURS CONTRACTS**

Tertiary education is the second largest user of casual labour and for staff, but zero-hours contracts present huge drawbacks in comparison to permanent regular work.

- There is no guaranteed level of regular earnings that provides any certainty over meeting bills or planning for the future.
- Without a guaranteed income people are unable to make financial or employment plans year to year, or even month to month.
- Regular patterns of work can be reduced to zero at a moment's notice with no right to redeployment or redundancy pay.
- When staff are required to attend work at short notice, they may struggle to arrange care for dependants.
- Many staff on are denied employee status which leads to fewer and less favourable employment rights.
- Irregular and erratic periods of work make it difficult to understand and to claim benefits and entitlements.
- Teaching staff know that they will be without income throughout the holiday periods, without knowing when or if they will be allocated work in the new academic year.
- Zero-hours contracts have shown themselves to be more open to abuse than regular permanent contracts.
- Students lose out from a lack of continuity of teachers and, often, reduced access to staff employed on minimal hours.

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The consequences for employers are just as potentially damaging.

- There are no guaranteed staff for whole areas of the institution's service provision.
- The use of such contracts will affect the employers ability to attract and retain high quality staff.
- There is a potential reduction in continuity and quality of services provided.
- The exclusion of such staff from robust recruitment/induction/training/CPD/appraisals has the potential to affect the quality of service provision.

In short, UCU feels that zero-hours contracts are not compatible with developing a professional workforce that will deliver high quality services.

### **UCU RESEARCH ON ZERO-HOURS CONTRACTS**

Following Freedom of Information requests from UCU in 2013, 61% of further education colleges in England, Wales and Northern Ireland said they had teaching staff on zero-hour contracts along with 53% of UK universities.

Despite this large number of colleges and universities using zero-hour contracts, only a handful of institutions have formal policies on them.

Of the universities that reported they use zero-hour contracts:

- nearly half (46%) had more than 200 staff on zero-hour contracts
- the remaining 54% of institutions the number employed on zero-hour contracts ranged from one to 199
- five institutions had more than 1,000 people on zero-hour contracts
- of the institutions that supplied information about zero-hour staff in work, just one in four (24%) said all their staff on zero-hour contracts currently had work
- zero-hour contracts are far more prevalent for university staff involved in teaching than in research.

Our findings shone a light on the murky world of casualisation in further and higher education. Their widespread use is the unacceptable underbelly of our colleges and universities. Employers cannot hide behind the excuse of flexibility as it is not a two-way street and, for far too many people, it is simply a case of exploitation.

The extent of the use of zero-hour contracts is difficult to pin down, as various groups have found, but their prevalence in our universities and colleges leads to all sorts of uncertainty for staff and students.

### **CONCLUSION**

- UCU's position on zero-hours contracts is clear – we do not believe that they are compatible with developing a professional workforce, delivering quality services.
- UCU does not believe that it is appropriate to use zero-hours contracts to deliver teaching, academic or related services in the higher or further education sectors.
- UCU would like to work with all employers to maximise security of employment and to discuss the limited occasions when there is a genuine requirement for flexibility.

*UCU applauds those institutions who have striven to improve job security for their staff by deciding not to use zero-hours contracts, and will continue to campaign to persuade others to do likewise.*

- UCU cannot accept that it is appropriate for the core business of universities and colleges to be delivered by thousands of staff who have no guarantee of income from one month to the next.
- UCU applauds those institutions who have striven to improve job security for their staff by deciding not to use zero-hours contracts, and will continue to campaign to persuade others to do likewise.

## **APPENDIX 2013 FREEDOM OF INFORMATION REQUEST FINDINGS ON ZERO-HOURS IN FURTHER AND HIGHER EDUCATION**

### **Higher Education**

In July 2013 UCU sent requests to 162 higher education institutions (HEIs) across the UK and while most institutions were able to say whether or not they used zero-hours contracts there remained some uncertainty about the definition of such contracts.

Most institutions using zero-hours contracts were able to provide the numbers of staff on such contracts but few were able to give reliable data on the numbers of staff without work currently and those who had been without work in any calendar month since October 2012.

**In total, 75 (52.8%) of those institutions responding stated that they did use zero-hours contracts for teaching, research and/or academic related staff – 67 (47.2%) stated they did not.**

Although the pre-92 sector had a slightly higher incidence of the use of zero-hours contracts (58.3% use compared with 48.8% in the post-92 sector) there appeared to be no discernible pattern on the use of zero-hours contracts across the sector.

In total, the number of staff identified by 75 HEIs as working on zero-hours contracts is as follows.

<b>Staff by type</b>	<b>Total number</b>
Teaching staff	21636
Research staff	915
Academic-related staff (pre-92s)	2174
All academic	22551
All (Teaching/Research/AR)	24725

The total number of academic and related staff in an individual institution ranged from single figures to thousands.

Number of zero-hours contracts in use	Number of institutions
1-49	22
50-99	6
100-199	12
200-499	16
500-749	9
750-1000	4
1000+	5

- Those teaching on zero-hours contracts constitute **47.2%** of all teaching only staff.
- Those teaching on zero-hours contracts constitute **15.5%** of all teaching staff (HESA figures for both teaching only and teaching and research staff).
- Those on zero-hours contracts engaged in teaching or research constitute **12.4%** of all academic staff.

#### Further education

UCU sent Freedom of Information requests to 275 FE colleges and whilst those that responded were able to indicate whether they used zero-hours contracts or not, there remained the issue of clarity about the definition of a zero-hours contract within the education context where blocks of work maybe confirmed as per a timetable.

In total 121 (60.5%) colleges said they do use zero-hour contracts, while 79 (39.5%) colleges said they do not.

There was no discernible pattern in the use of zero-hours contracts according by the type or context of college, eg inner city general further education, predominantly 14-19, vocational mix, agricultural or overall size.

In total the numbers of staff identified as working on zero-hours contracts from the 121 responses were:

- Teaching staff **10 868**
- Teaching associate staff **2 739**

Number of zero-hours contracts in use	Number of institutions
1-49	40
50-99	24
100-149	25
150-199	9
200-299	6
300+	9

<sup>1</sup>All calculations by UCU

Unfortunately there is less official workforce data published for further education. In order to determine an estimated percentage figure for the use of zero-hours contracts for teaching staff in further education we used estimated teaching staff headcount figures which have been sourced from global data from the Learning and Skills Improvement Service FE College workforce data report for England 2011/12.

In the small number of institutions where we have been unable to ascertain for ourselves the total number of teaching staff we have used other sources including report and accounts. The bulk of UCU's membership is amongst teaching staff and our data is more robust for this group so we have focused our analysis on this group.

To gain an understanding of the scale of use of zero-hours contracts in colleges from the raw numbers we have used our estimated teaching staff headcount figures to determine the ranges of percentage of teaching staff employed in this way.

Estimated percentage of teachers on zero-hours contracts	Number of institutions
1%–9%	33
10%–19%	17
20%–39%	26
40%–59%	20
60%–79%	7
80%–100%	8