

Mr W Powell AC/AM
Petitions Committee Chair
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

Our ref/*Ein Cyf*: DO/BDT

Date/*Dyddiad*: 5th July 2013

Ask For *Gofynnwch am*: Bev Thomas

Extension/*Estyniad*: 01492 546666
ext 288

Dear Mr Powell

Petitions Committee: hourly paid and fixed term contracts

I am writing in response to your letter of 18 June stating that the Petitions Committee is seeking information on the use of hourly paid and fixed term contracts in the further education (FE) sector.

ColegauCymru is the national organisation representing the 17 FE colleges and two FE institutions in Wales. ColegauCymru is currently negotiating a national contract for staff employed in FE colleges.

The latest figures published by the Welsh Government on staff contracts show that in 2008/09, there were 16,810 individual staff contracts. 57% of staff employed by FE institutions were permanent, 21% fixed term and 22% hourly paid/casual staff.¹

Between 1998/99 to 2009/10, the numbers of staff increased by 9% with full-time staff increasing by 26% and that of part-time decreasing by 2%. Figures are not available for fixed term contracts. The trend in some colleges has been to have fewer hourly paid part-time staff as colleges have converted hourly paid part-time contracts into fractional contracts.

In order to be flexible and responsive to external demand, colleges have to employ part-time hourly paid staff, particularly lecturers. Post-16 education is not compulsory. Colleges are not able to predict accurately the number of students they will enrol or the mode of attendance. Numbers of students, particularly part-time students, fluctuate from year to year. Students who have decided to join the college change their minds and do not enrol at the beginning of term. In some cases this figure can be one-third of potential enrolments. It would not make financial sense to

¹ Staff at Further Education Institutions in Wales., 2008/09 SDR 130/2010, 26 August 2010 Welsh Government

employ part-time lecturers with fixed weekly hours before students have formally enrolled.

In 2011/12, 191,185 learners attended colleges. Of these, around 76% of learners attended part-time² and around three-quarters were adults aged over 19. Predicting part-time numbers is particularly difficult.

Colleges have to respond to requests from local businesses for courses or consultancy, often at short notice. There are also Welsh Government initiatives such as ReACT in which a person recently unemployed can seek training, often at a few days' notice.

All this means that colleges have to employ flexible part-time staff in order to respond to external demand and cope with uncertainty. Colleges will often not be able to inform lecturers of their teaching load until the start of term, once the enrolment cycle has been completed and students have turned up. Once the lecturer is informed of his/her teaching load, the number of hours will usually stay constant throughout the year unless the class becomes unviable. The lecturer may be invited to add to their teaching during the year but this will be with the agreement of the lecturer. Many staff in Further Education prefer to work in a flexible way.

There has been recent publicity about catering and cleaning companies employing people on zero hour contracts in which the individual does not know from one week to the other what if any hours they will be doing. This does not apply to further education.

The common contract negotiations have considered zero hours and Version 26 of the common contract includes these words:

D. "LECTURER PART-TIME HOURLY PAID

In view of the nature of your employment your hours may vary according to the academic requirements of the College. However the College will provide you with a minimum of [hours] of teaching per [week, term, and year]. This minimum will be reviewed on an annual basis and may be subject to change depending on the requirements of the college."

This clause would have the effect of ensuring that a lecturer is employed on a minimum hours contract.

² Further Education, work-based learning and community learning in Wales 2011/12 SDR 48/2013 26 March 2013, Welsh Government

In respect to fixed term contracts, colleges are often in receipt of funding for short term projects. These may be funded, for example, by the Welsh Government or the European Community. Staff on these projects will be employed on fixed term contracts for the duration of these externally funded projects. No guarantees can be given on employment once external funding has ceased.

The following are the specific answers to the questions in your letter.

Question 1 – Grwp Llandrillo Menai does employ staff on fixed term contracts but not zero hours contracts

Question 2/3 – 651 staff are employed this year on fixed term contracts – this being 31% of the total workforce

Question 4 – Zero hours contracts not used

Question 5 – The use of fixed term contracts have decreased as staff who have 4 years' continuous service are offered permanent contracts. This exercise is undertaken on an annual basis.

Question 6 – No

Question 7 – Not at present but the financial settlements going forward may have a bearing on this.

Question 8 – No such documents are available at the present time.

I hope that this information will be of assistance

Yours sincerely

A handwritten signature in black ink, consisting of a stylized 'D' followed by a long, sweeping horizontal line that ends in a small upward tick.

Dafydd Owen
HR Director