

Employing research staff

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If you propose to appoint any new staff for your research project, you should contact the Personnel Department at an early stage in preparing your bid in order to ensure that your staffing plans and costings meet legal requirements and university policy. If not, your project could run seriously over budget and/or present difficulties when you come to recruit the staff.

Meeting legal requirements

What are the legal requirements for pay?

The university is legally required to pay staff consistently, using internal comparisons regardless of practice in other organisations/institutions. Research grades at the University of Brighton are unique because they have been locally negotiated. The university, as the employer, must decide the level of pay, irrespective of any restrictions on maxima and minima by funding bodies. The 8 UK Research Councils (including the AHRB) have revised their policy and practice on staff costs and no longer assess the staff costs in bids. See the section on *Estimating Staffing Costs* below. They recognise that the move from national grades to local pay structures means there is no longer a common language to describe grade levels of staff.

Also, all research staff must be given equal opportunity to progress to the top of their grade. It is not possible to restrict progression to a point that is below the top of the grade. In order for research staff to progress to the next grade, the level of work required must change to match the criteria for that grade. It is therefore not possible to agree a pay range that overlaps between two grades. Promotion to the next grade is done according to the university's promotion procedures

What are the legal requirements related to fixed-term appointments?

They must be treated as favourably as permanent staff. This includes ensuring they have appropriate induction, staff development, support for career development, staff development reviews (SDRs) and access to further employment opportunities, so **project timescales** will need to be planned to allow sufficient time for this.

As a result of the Fixed-Term Employees (Prevention of Less Favourable Treatment) Regulations 2002, UK research councils' conditions of grant will **not** include requirements to appoint staff on a fixed-term basis. The type of employment offered will be determined by the university as employer.

If staff who are fixed-term have their contracts renewed, or if they are re-engaged on a new fixed-term contract and they already have a period of four or more years of continuous service, the renewal or new contract takes effect as a permanent contract unless continued employment on a fixed-term basis has been objectively justified.

Fixed-term staff will be eligible for a **redundancy payment** if they are employed at the university continuously for 2 years or more and their contract is not extended or renewed, they do not resign, and there is no suitable alternative post for them at the end of the project (see section on redundancy payments in the section on *Estimating staffing costs* below). There is also a requirement to consult with them well before the end of their contract, to inform them of the likelihood of further employment or to discuss alternatives if there is no potential for continuation of their current work. The university is also required to consult the relevant trade unions regarding fixed-term contracts that are proposed to be terminated.

For more details, follow this link to the *Guide to employing fixed-term staff*.

<http://staffcentral.brighton.ac.uk/xpedio/groups/public/documents/staffcentral/doc002741.pdf>

Estimating staffing costs

The UK research councils' peer-reviewers have been briefed to focus on the research proposed in grant applications and the volume of resources requested; they are explicitly instructed not to query the detail of the associated staffing cost estimates. Application forms will, however, seek information on the experience of current staff and of prospective recruits.

If project staff are currently employed at the university, you should check their salary scale and scale point with Jerry Loft or Peter Mitchell in the Finance Department as current information is not always available in School offices.

Research salary scales with on-costs for National Insurance and pension are at this link:

http://staffcentral.brighton.ac.uk/xpedio/groups/staff_only/documents/staffcentral/doc006456.pdf

If you intend to appoint any new staff, the proposed salaries will need to be compatible with the University of Brighton pay and grading practices which will differ from those of other universities. There are issues to consider as follows:

1. What grade is appropriate for the proposed new staff?

In order for your bid to be authorised, the grades for project staff have to be agreed with the Personnel Department. If you intend to appoint any new staff for the project, e-mail Nancy Wiginton or Hazel Young in the Personnel Department a bullet point summary of the role the new staff will have on the project, mapped against the relevant **research staff role profile**. The role profiles are on pages 17 to 22 of the appendices of the *Collective Agreement – Implementation of the national Framework Agreement* at this link:

<http://staffcentral.brighton.ac.uk/framework/Collective%20Agreement%20-%20Implementation%20of%20the%20national%20Framework%20Agreement%20-%20final.doc>

Initial placement at a point on the grade must be in accordance with the level of knowledge, skill and experience compared with other University of Brighton staff doing a similar level of work. New staff cannot be placed at a specific point on a scale simply to comply with funding body maxima or minima or a desire to minimise costs. Your bid should request the maximum of the appropriate grade in case the person you appoint meets the criteria for a starting salary at or near the top. If necessary, you could explain to the funding body (if it is not one of the UK Research Councils) your reasons for departure from their guidelines.

If for some reason you have no alternative but to appoint at a low point on a grade, you should send a copy of (or e-mail a link to) the relevant funding body regulations that specify this to the Personnel Department during the bid authorisation process to explain what the requirements are. When your grant is awarded and you want to appoint staff, enclose the regulations with the completed form (PD8) requesting to fill the post. Your Personnel Assistant will then be able to advise on how to target candidates at the right level. There is no absolute guarantee, however, that the most suitable candidate will have experience, knowledge and skill equivalent to any particular point on the scale and any additional staffing cost would have to be met by the school budget.

2. What can I include in the costing?

The UK Research Councils expect that applications should include all foreseeable salary costs, including normal incremental progression within the grade

3. What can I not include in the costing?

Exclude any salary costs which are possible but not certain, such as increases contingent on potential regrading of a post because of anticipated increases in role demands later in the project because it is not guaranteed that this will transpire. In the unlikely event that it is clear from the outset that the research will entail such a change in role, two time-limited roles might be included in the application with a clear

demonstration of increased demand of the role. In any such case, the change in grade would still be subject to agreement in accordance with the university's formal promotion procedures.

4. **Do I need to include an amount for redundancy payments?**

You will need to consider whether you can bid for enough to cover redundancy payments where staff are employed continuously for 2 years or more and there is no suitable alternative post for them at the end of the project. Many of the funding councils have refused to cover redundancy payments, however, and in such cases the School will have to be prepared to cover the cost from its own funds. As it cannot be assumed that alternative work will be available when the project ends, or that the project will not be extended for unforeseen reasons, you should be prepared for this potential cost. As a rough guide, you can calculate the payment for staff as follows:

Up to age 21	£145 multiplied by the number of complete years of their continuous employment at the university
Age 22 to 40	£290 multiplied by the number of complete years of their continuous employment at the university
Age 41 +	£435 multiplied by the number of complete years of their continuous employment at the university

Recruiting new staff

We can help you attract high quality applicants and meet equal opportunities requirements. A post should be advertised except where the period of employment is very short (normally less than three months) or where an individual has developed the research project and contributed to the grant application.

If there is a possibility that you will need short-term staff to assist at any stage during the project, we can advise on how they should be selected and paid. The legal requirements and university policy and procedure described above applies to all appointments, no matter how short the duration of the work.

What are the implications of the Research Careers Initiative (RCI)?

The RCI is a HEFCE-funded, sector-wide initiative to ensure that contract research staff are incorporated into the life of the school and University and offered opportunities for development of 'transferable skills', as far as possible. The University has 'signed up to' this initiative and expects research leaders, Principal Investigators and Heads of School to offer appropriate support and advice for career development.

Development activities should include those aimed at transferable skills as well as research competence. It means ensuring sufficient time and support is available. The amount of time and support given may vary according to the length of the appointment and the contracted hours. Normally, time gets tighter as research projects progress so it is advisable to begin any development programme early in the appointment. Further information is available at this link:

<http://staffcentral.brighton.ac.uk/xpedio/groups/Public/documents/staffcentral/doc002614.pdf>

Employing research students

Research students are paid from a grant and are therefore not employees of the university. However, if they are to be paid for doing any work outside their project, no matter how little, they must first be set up as employees via the Personnel Department. HM Revenue and Customs have strict rules on employment of students which the university must follow. We can advise you how to proceed and help you to assess an appropriate rate of pay. The rate of pay must be agreed by the Personnel Department before any offer of pay is made to the student and before they are engaged to do the work. The rate of pay must be in line with payments to staff doing a similar level of work in the University and must be set at a specific point on the university salary scales to avoid costly complications on the payroll system.

It is university policy that full-time students should not be employed for more than 12 hours per week in order not to interfere with their project.