

# Employment sustainability: A Researcher's guide

## Context

The majority of research staff are employed on 'fixed-term contracts' (FTCs) which are linked to finite grant-based research funding. This reality means it is important for research staff to understand the nature of their employment and to plan effectively.

In order to do this, it is important for everyone to understand the landscape in which the research contract exists and to be clear about how employment can be sustainable.

Most researchers will find that they need to proactively manage several employment transitions in their career. This is a more positive process when well-planned and supported.

This guide is an output of the University's [Research Staff Development Committee](#) and was developed by researchers and academics for researchers, with the input and guidance of Professional Services colleagues.

## Legislation

There is specific legislation for individuals who are contracted on a fixed term basis: [Fixed-Term Employees \(Prevention of Less Favourable Treatment\) Regulations 2002\\*\\*](#).

The University has created aligned [FTC Guiding Principles](#) to enable staff to understand this legislation in practice. This is complemented by a [Contractual Relationships Toolkit](#) (Section 3.2 relates explicitly to fixed term employees). Both of these will be referenced within this guide which serves as a summary of the information but should not be substituted for individual reading of the documentation.

\*\*The Fixed-Term Employees (Prevention of Less Favourable Treatment) Regulations 2002 exist to prevent those individuals who are on a FTC from being treated less favourably than those on an Open ended contract (OEC)\*\*

## Definitions

Fixed-Term Employment Contract:

- An individual works full time or part-time hours, undertaking work required for a fixed period of time.
- May only be justified in law when used to achieve a legitimate business objective, where it is necessary to achieve that objective and where it is an appropriate way to achieve that objective. The University's interpretation of this is outlined under Section 2 of the FTC Guiding Principles.
- A series of fixed-term contracts is converted by law into an open ended contract once the employee has completed four years' continuous service, unless an exception applies. Consideration of conversion to an OEC is normally undertaken at the first contract review/extension point beyond four years.

[HR guidance](#)

Open-Ended Employment Contract (OEC) (No fixed end date):

- Contract used to employ an individual to undertake work anticipated as being required for an indefinite period of time.

[HR guidance](#)

The University recognises the challenges faced by research staff employed on FTCs and is fully committed to providing a range of learning and development opportunities so that researchers can work effectively towards achieving their long and short-term career plans. The University has subscribed to the [UK Concordat to Support the Career Development of Researchers](#), which is an agreement between funders and employers of research staff to improve the employment and support for researchers and research careers in UK higher education.

## Support for career planning and ongoing development

Each individual's needs are different and researchers should think clearly about their own personal objectives and plan accordingly. Researchers may also wish to discuss career plans and development needs with their line manager in order to identify key development areas. A broad range of internal resources is available to support research staff, including:

- [SRDS Guide for Early Career Researchers](#) and early career research specific [SRDS form](#).
- A dedicated [Researcher Development Team](#) who provide broad support to researchers across the University.
- [Think Ahead](#) - "A framework for the continuous professional development of researchers at the University of Sheffield, supporting individual career ambitions in and beyond academia." 1-1 support, delivered learning events, online material and mentoring.
- Specialist [Careers Advisers](#) and [v i s t a](#): careers beyond academia seminars & mentoring
- [Development Everywhere](#) - A University wide development programme comprised of a broad range of learning events, videos, online resources and books.
- [Leadership and Management Training](#)

Additional resources and events are available at Faculty level. Please contact the relevant [Researcher Development Manager](#) for your Faculty, for more information.

## Further support

Researchers can contact HR colleagues direct to seek advice on specific queries - [HR Faculty contacts](#).

# Frequently Answered Questions

## Contract types and terms and conditions

- **Does entitlement to paid leave e.g. parental leave/sick pay differ between individuals on an FTC or OEC?**

Sickness: Entitlements to pay during sickness absence is calculated in accordance with continuity of service. Being on a FTC does not impact on an individual's entitlement to sick pay.

Maternity: Staff with at least 12 months continuous service with the University of Sheffield by the expected week of childbirth (EWC), and who provide a written undertaking to return to their post for a minimum of three months following the end of the maternity leave period will be eligible for the University maternity scheme and occupational maternity pay. For any FTC staff whose contracts expire during the maternity leave period, there is no undertaking to return to their post. Further information can be found [HR guidance](#).

- **Does being on an OEC mean that you can continue to access university resources (e.g. the DEAL) beyond the end of your funding period?**

Access to University resources continues whilst a member of staff, irrespective of contract type, is employed by the University. The source of funding enabling their employment is irrelevant.

## Contract types and redeployment/redundancy

- **When my funding runs out, am I better off on FTC or OEC in terms of employment security and redundancy process?**

In both cases, the same redundancy process applies, as does an individual's access to redeployment. The same calculation is made for determining the correct redundancy pay regardless of the type of contract the employee was on. [HR guidance](#)

- **Is there any difference in the redeployment scheme for individuals on a FTC or an OEC?**

The redeployment scheme is the same for employees who are at risk of redundancy due to the potential expiry of their FTC and for those employees who are on OE contracts and are at risk of redundancy for other reasons.

- **What is the definition of 'active engagement in the redeployment process'?**

'At risk' employees are expected to engage and participate fully with the redeployment process [HR Guidance](#).

1. Redeployment candidates will be required to actively seek out opportunities via the internal recruitment channel, which is only accessible via the "Apply for Jobs" link within myJob. University posts are advertised internally, to redeployees only, for two working days prior to being advertised externally. This is an opportunity for redeployees to complete a tailored application for the post they are applying for. Once the post closes the Department will confirm via email if the redeployee has been selected for interview.

2. Redeployment candidates will be considered for opportunities where they meet the essential criteria for the position or could do so with reasonable and appropriate training. Redeployment will normally be made to a position at the same grade as your current post; however, you may also consider a position at the grade below. Where a member of staff is offered, and accepts redeployment to a lower graded post, the University will offer transitional pay protection.

#### Transferring between contract types

- **Will my FTC be made permanent/open-ended after 4 years' continuous service?**

The opportunity to request a transfer to an open-ended contract is available to any staff member who has four years' continuous services on a series of fixed term contracts. Departments routinely review contractual status at each extension point.

"The review need not be conducted immediately on acquiring four years' continuous service, but should be performed at each request to extend or renew a FTC thereafter. It may still be possible for a FTC to be extended or renewed beyond four years, but the criteria against which such requests are judged are more tightly defined." [HR guidance](#)

- **Who initiates the FTC review?**

Five months prior to the end of a FTC, departments are alerted via a system notification that the contract is approaching its current end date. At this point they will review the ongoing need for the work. If there is an ongoing need then the relevant Recruitment and Selection Coordinator will complete a contract extension request via eRecruitment. Once approved by Finance and processed by HR the individual will be issued with a contract extension letter. If the work is not required beyond the contract end date then the individual's line manager will consult for redundancy and the redeployment process will begin three months prior to the contract end date.

Contract end dates are also reviewed by HR on a monthly basis. If no information about future of contract is received, they will contact the department directly for information.

HR also meet with the recognised campus trade unions on a monthly basis to discuss all FTCs that are due to end in the next six month period. Cases are reviewed and discussed as appropriate.

- **Where might the FTC review happen?**

- As a meeting in its own right
- As part of the 'at risk' meeting - [HR guidance](#)
- Pre-emptively in SRDS - [HR guidance](#)

### Contracts and mortgages

- **Will my employment on a FTC hinder my chances of being successful in mortgage applications?**

This is lender specific and normally depends upon the amount of time remaining on your contract. Further information can be found on the [Home Owners Alliance website](#). If you have questions about your contract in relation to a mortgage application you may find it helpful to contact a member of your faculty HR team.

### Contracts and supervision

- **Can I be a named supervisor of a PhD student (irrespective of contract type)?**

It is acknowledged that formal recognition of a member of (contract) research staff's (RS) contribution to supervision of research students is beneficial for their career development and progression. However, it is also important that the University provides the highest quality of supervision. Furthermore, it is understood that a duty of care with respect to health, safety, and other legal requirements must be acknowledged. Consequently, the following guidelines are aimed at helping departments select appropriate supervisors when appointment of RS to the supervisory team is desired.

- RS should not be appointed as primary supervisors
- RS should not act as the "training" supervisor for DDP purposes unless they have suitable previous experience
- RS can be appointed as a third "lab supervisor" because of specific skills
- RS can be appointed as second supervisor if all of the below apply:
  - They have sufficient postdoctoral or clinical research experience to supervise effectively
  - They are paired with an experienced primary supervisor who is a member of TUoS staff
  - Their area of expertise is consistent with the research area of the student's project
  - Their contract outlasts the student's funding period (usually 3-4 years) or there is a high probability that the contract will be continued

[Document link](#)

### Contracts and grants applications

- **Can I be a co-applicant on a grant while on (a) FTC or (b) OEC?**

Potentially, yes, depending on the funding body. Each funding body provides guidance on the status you need to have in order to be able to named co-applicant on a grant. It is always worth having conversations about being costed in to a grant application. Generally, you can be named co-applicant on a grant whether on a FTC or OEC – however, you need to check with each funding body.

In the first instance, it is recommended that researchers discuss their situation with local/central research support. [UK Research & Innovation website](#)

### Contracts and PhD study

- **Would being on an OEC facilitate staff candidacy for PhD studies e.g. if a FTC would not cover the entire study period?**

"University Staff Candidate" means a candidate who is a member of the Academic, Administrative, Clerical, Computer, Senior Library, Other Related, Research or Technical Staff of the University, and who:

- (a) holds an appointment which is either full-time or involves employment as a part-time member of staff for at least half the time of a full-time member of staff of the same grade; and
- (b) hold an appointment of the duration of the minimum period of registration (usually two years for the Degree of PhD, two years during the research element of the Degrees of DMedSci and EdD, and one year for the Degrees of MPhil, MMus or LLM)" [Document link](#)

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This document was begun by the Faculty of Medicine, Dentistry & Health Early Career Group\* and finalised under the purview of the University's Research Staff Development Committee\*\*

All information is correct at point of publication. Please visit individual webpages for detailed information.

\* <https://www.sheffield.ac.uk/faculty/medicine-dentistry-health/thinkahead/reps>

\*\* <https://www.sheffield.ac.uk/rs/other/committees/rsdc>

7.2018