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Seizing the opportunities

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As HR teams in the higher education sector hopefully manage to take some time out over the summer for some well-earned rest after the impact of dealing with phenomenal change at break neck speed, they will also be gearing up for the new academic year, which is going to be so different from the years that have gone before. In thinking about what to cover in this article I was reminded of one of many memorable quotations from Winston Churchill:

"A pessimist sees the difficulty in every opportunity; an optimist sees the opportunity in every difficulty."

So in this article I have stepped back from the day to day and suggest two areas where the current crisis could lead to lasting improvements for staff.

Advancing the careers of women in HE

This has been the subject of discussion and some action over many years but according to the 2020 Sex and Power Index published by The Fawcett Society in January 2020 the percentage of female Vice-Chancellors in UK universities is still only 30% (and only 1% are women of colour). If you also factor in the data from the WomenCount: Leadership in HE 2018 report published in 2019 there is even more cause for concern – only 37% of all executive team members are female and 31% of heads in the top tier of the academic structure are female. Given that the route through to senior positions in the academic structure is through gaining a professorial appointment and that women make up less than 25% of all professors, this confirms current thinking that the problem starts earlier in the pipeline.

The legal risks for institutions of not making progress could include adverse gender pay gap data, difficult grievances from disenchanted staff to be managed, whether institutions are discharging the public sector equality duty, discrimination claims and ultimately reputational damage with impact on attracting and retaining both talented staff and students.

In order to understand more about the barriers preventing women's progression in the workplace generally, and how best to support employers to remove these barriers, back in 2018 the Government Equalities Office (GEO) commissioned the Global Institute for Women's Leadership at King's College London to undertake a rapid evidence assessment on this topic. In October 2019 the GEO published the outputs in a report titled 'Women's Progression in the Workplace'.

Some of the findings are very relevant to the higher education context in the current pandemic. They include identification of the following barriers to progression:

- The conflict between external responsibilities and current models of working.
- Alternative ways of working (including part-time work) do not currently offer parity.

The COVID-19 pandemic has turned the previous normal on its head and the higher education sector has brilliantly implemented changed working arrangements that in theory should be a great springboard to help progress in this area. So, for example, one of the aspects that was widely considered to hold back the careers of women in higher education was the difficulties of those with caring responsibilities being able to get away to network, be seen at and present at academic conferences so the move to virtual conferences and virtual networking should be a force for good in levelling up opportunity in this area. Equally, more ability to work flexibly and a working from home policy that works for individuals and the institution with the stigma of working from home now hopefully removed once and for all

should positively contribute to more opportunities for women with caring responsibilities. However, Digital Science's gathering of data for Times Higher Education shows that whereas the proportion of submissions from women had been creeping up over the past five years to just over a third, they plummeted to just over a quarter in May 2020. Whilst there may be a number of reasons for this, commentators suggest that the greater caring responsibilities of women is an important factor. If this is correct, and if we can expect to see further lockdowns (albeit localised), then it will be important for Higher Education Institutions to be able to demonstrate that they have considered this, identified a robust methodology for ascertaining individual circumstances and put in place reasonable mitigations to limit any disadvantage to female academics due to these reasons.

Increasing opportunities for disabled staff

The HE sector has a well-deserved reputation for being a supportive and welcoming work environment for employees with disabilities. The changes to the working environment that the sector has been able to roll out since March should bring increased opportunity for the recruitment and progression of staff with disabilities. This could be because it is more able to attract new staff who previously would not have applied because of geographical issues such as difficulties in travel to work or because of difficulties of working on campus (these could include physical accessibility issues but also structural/organisational issues). Or it could be that the changes create more opportunities for current disabled staff to progress within institutions. This is all hugely positive. It does bring with it though a need to keep an eye on the legal risks that the changed working environment brings with it and a new understanding at all levels of an institution about how to approach issues such as reasonable adjustments under the Equality Act 2010.

The danger here is that managers will have become familiar with the 'usual' adjustments that they have implemented over the years and may inadvertently not think broadly enough about what adjustments are now reasonable. This is particularly relevant when considering the practicability of the step, the financial and other costs of making the adjustment and the extent of the disruption caused. Under the EHRC Code of Practice on Employment these factors are all relevant to the decision of what is considered reasonable.

This is likely to require further guidance and, ideally, training for managers and those who make decisions about the recruitment and day to day employment of disabled staff. Whilst more general re-fresher training may be helpful as a starting point, this is likely to require more specific training tailored to individual Schools/Departments in order to really help decision-making.

A focus of any guidance and training will inevitably be on adjustments for employees with mental health disabilities. As we know, managing employees experiencing mental ill-health is one of the biggest challenges employers face and never more so than during the current pandemic which has produced for some employees a perfect storm of isolation from colleagues, family and friends, the pressures of managing home working and worries about the future.

Employers will be looking at the work adjustments that may assist employees with mental health disabilities in returning to work and, for those who have not had absence, in staying in work. The independent research paper published by Acas on 12 June 2020 is therefore extremely timely. The paper examines the evidence and guidance available to inform practices around work adjustments for mental health at work.

Findings of the research include that:

- work adjustments for employees with mental ill-health appears to be varied and inconsistent;
- there is a need for a clear picture of current practices; and
- guidance for employees, colleagues, managers and professionals working within occupational health and human resources should be enhanced.

Of these findings, the area in which an employer can have the most quick and effective impact is in enhancing guidance in the process of accessing and implementing work adjustments. Measures could include:

- mirrored versions of guidance for different stakeholders;
- reviewing the processes for accessing work adjustments and providing employees and managers with a clear understanding of how work adjustments can be accessed, supported and monitored and reviewed for effectiveness; and
- focusing on helping employees feel more confident in accessing and using the work adjustments; and
- inclusion of checklists and exercises to help employees and those involved in the provision of work adjustments prepare, implement and review how the work adjustment is working for the employee, the team, the manager and the wider organisation.

Conclusion

None of us can predict how the next academic year is going to look but if enough of us can be optimists rather than pessimists then by this time next year there may be some real success stories to reflect upon!

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