



BRIEFING DOCUMENT:

SOFT FUNDED ACADEMIC
AND RESEARCH STAFF
(SFARS)

*THE SFARS STEERING COMMITTEE
ACADEMICS UNION, UCT*

AUGUST 2015



1. BACKGROUND

Who are SFARS at UCT?

Soft-funded Academic and Research Staff (SFARS) are those staff at UCT who are paid by soft funding – that is by non-GOB and non-recurrent funds, either raised directly for their own salaries or through a pooled fund with other researchers and academics (who are SFARS or GOB staff).

Data from the SFARS Survey conducted in 2014 shows that SFARS bear the burden of raising funds for their own salaries (49%) and for securing salary income for other SFARS (44%), as well as financially contributing to GOB staff (directly and through subsidy income). Some 66% of SFARS respondents in the survey were on academic conditions of service, with most of those people falling into the categories of Research Officer (21%) and Senior Research Officer (22%).

Over half of SFARS who took the survey had been at UCT for between 0 and 5 years. About one-quarter of the respondents had been here for longer than 10 years, with the longest service being 35 years. These data speak volumes about the employment conditions for SFARS: the large proportion of SFARS with fewer years of service at UCT speaks in part to the high levels of attrition and ‘churn’ among this group due to low job security. Similarly, the fact that staff have been employed under these conditions of instability long-term raises questions about the way that the University values their contribution, and secures their well-being. For example, just over half of the respondents in the survey said that they do consultancy work in addition to their full-time job responsibilities to supplement their salaries and those of the people who work for them. For some of the SFARS, this takes up to 25% of their time. While there are undoubtedly benefits to being soft-funded (for example, freedom to pursue research interests, limited teaching and the like) for most SFARS, this situation is untenable, as participants in the survey explained:

Being paid below the minimum is becoming increasingly demoralising, as you end up feeling that you are not valued in your position.

SFARS are not recognised as equal partners to GOB staff on all levels, particularly on the salary level. We are not paid for teaching, supervision or entitled to sabbatical or even performance bonus. We do not even complete RFJ. We are not counted at any level at UCT yet we contribute substantially with grant income and student supervision, administration, leadership and social responsiveness and teaching.

Being an SFARS member of staff is often extremely depressing with very little support available. I don't think permanent staff have any idea of what it feels like....

Being on soft money and receiving regular retrenchment letters while knowing that UCT will not help for a single month is stressful and depressing [...] Being on soft money and having to raise so much money and managed so many projects prevent me to achieve my full potential as a researcher, teacher and advisor.

It is like banging your head against a brick wall. UCT leadership appears not to understand what is required and how much SFARS do and would in future contribute to the university's research project. Their thinking is rooted in a 20th century university model, besides which they lack the political will to pursue strategic change.

The SFARS Steering Committee

The Soft Funded Academic Research Staff (SFARS) Steering Committee – first formed in 2009 – is a sub-committee of the Academics Union Executive Committee that was established to represent, address and collectively motivate for the unique needs of UCT’s SFARS in order to promote equity of employment conditions, equity of career paths, security of positions, and the integration into university structures at UCT.

The Steering Committee has representation on, and works in collaboration with, UCT’s Academics Union on over-lapping issues for SFARS staff. The Steering Committee also addresses SFARS issues that fall outside of the AU, and which are of concern to SFARS (e.g., PASS academic/research staff). The SFARS Steering Committee holds regular meetings of its members who cut across the various faculties, units, departments and Centres in the university, and engage with other university structures relevant to SFARS. The Committee has actively engaged with the profiling of SFARS and their contribution at UCT – lobbying senior management and Council on behalf of SFARS, organising special events for SFARS staff, and more recently undertaking the first survey of SFARS staff in an attempt to understand their contributions to research, teaching, and supervision, as well as their views on employment conditions. The Steering Committee also raises SFARS issues during the collective bargaining processes.

Currently, the SFARS Steering Committee is represented by an Exco as follows:

Dr. Kelley Moulton	Centre for Law and Society, Faculty of Law (Chair)
Dr. Jane Harries	Women’s Health Research Unit, Faculty of Health Sciences
Dr. Nico Fischer	Centre for Catalysis Research and c*change, EBE

Engagement with University/Management

Beginning in late 2008, the SFARS group have engaged University management, and specifically Deputy Vice Chancellor for Research, Danie Visser on a number of issues regarding soft-funded researchers. By mid-2009, the SFARS Committee had, through consultation, distilled these down into three key issues they wanted to discuss, i.e. payment for teaching; funding mechanisms for SFARS (including security of funds for salaries, internal funding distributions and the allocation of the publication subsidy generated by SFARS); and career development and employment conditions. In November 2009, the Committee presented position papers on these three issues to the DVC for Research. These position papers are attached this briefing document.

The collective bargaining process culminating in the January 2010 collective agreement between UCT and the AU saw the first SFARS-specific issues included among the demands (see below), and in April 2010 the SFARS Steering Committee was formally constituted. The University constituted a Committee to deal with SFARS issues under the leadership of DVC Danie Visser in mid-2010, which met three times over the following year. In July 2011, the University Steering Committee decided to undertake a ‘Pilot Study’ that would explore responses to the concerns raised by SFARS across the university. The Committee decided to undertake this Pilot Study in the Health Sciences Faculty, given that Health Sciences has the largest number of soft-funded staff (estimated to be around 60% at that time).

Since the start of the Pilot Study, the SFARS Steering Committee has seen little engagement with the University on issues specific to SFARS outside regular engagement through the Consultative Forum on

Academic and Staff Matters (CFASM), and through the collective bargaining processes in 2013 and again in 2014.

There have been a number of initiatives and activities that have taken place in various faculties relating to SFARS Staff, including:

- Engagement by the Faculty of Health Sciences Deanery with SFARS in their Faculty on issues relating to the Pilot Study
- Input from the SFARS Steering Committee into the University Research Strategy
- Core support awards in Health Sciences for top-performing SFARS.
- Informal engagement by the Deaneries in FHS and EBE in with SFARS in their faculties on mechanisms through which publication subsidies generated by SFARS researchers may be fed back to their respective Units/Centres
- Limited informal engagement in faculties in respect of the proposed new cost recovery model
- A survey of SFARS staff undertaken by the SFARS Committee with collaboration from the University

It should be noted, however, that many of these initiatives and activities have been somewhat problematic in their implementation (for example, the core support awards for SFARS in Health Sciences), or have not been concluded and fed back satisfactorily (such as the FHS Pilot Project, the model for distribution of publication subsidies back to Units, cost recovery model). In addition, since late 2013, focused engagement with the issues raised by SFARS has largely stalled, and meetings between the SFARS Steering Committee and the University Committee on SFARS issues have not taken place.

We do recognise that the considerable heterogeneity in SFARS across the University, and the devolved Faculty management and accountability impact on the simplicity of solutions to the problems facing SFARS at UCT. At the same time, the fact that we have been in a process for a long time that appears to have made very little progress and muddied the waters considerably, adds to our challenge. We hope that the meeting between ourselves and DVC Francis Petersen will mark a new phase in these engagements.

2. CORE FOCUS ISSUES

As outlined above, the SFARS Steering Committee identified three core issues in 2009 that required attention: payment for teaching; funding mechanisms for SFARS (including security of funds for salaries, internal funding distributions and the allocation of the publication subsidy generated by SFARS); and career development and employment conditions. To a large extent, these issues remain relevant, and are addressed below. In some cases, we have taken certain issues to the 2015 annual negotiations only as a last resort because no progress was made in the SFARS process, or (as we show below) where there was subsequent agreement but there is little evidence of compliance with the agreement.

Career Pathing and Development of SFARS

In terms of the 2010 collective agreement signed by the AU with management it was agreed that:

- *A steering committee would be established by 30 April 2010 to create new ranks, performance management and career paths for researchers.*

In addition, under the 2014 collective agreement signed by the AU with management it was agreed in principle that:

- *Staff who have research-intensive workloads can, in all faculties, successfully apply for promotion to academic ranks, provided they satisfy the appropriate, including teaching, criteria of the faculty concerned. It was further agreed that HR would ensure that the prevailing situation (including implementation) is clear to all staff.*

While the processes for creating new ranks, performance management and career paths for researchers have been initiated in Faculties; we have had no feedback from University Management in terms of progress and/or oversight in this regard. **We would therefore like to place this item on the agenda for input going forward, and request a report on what HR has done to ensure that the career path opportunities (and implementation) have been provided, monitored, and made clear to SFARS staff.**

SFARS Employment Conditions

Under the 2014 collective agreement signed by the AU with management it was agreed that:

- *A clean-up of the UCT employment database would be undertaken by HR as part of the 'Jobs Project' so as to make SFARS easily identifiable in the database.*

Over the last year, the issue of the easy identification of SFARS staff (including notification of new SFARS appointments) has been raised in CFASM by members of the SFARS Steering Committee, but limited progress has only recently been made in terms of this issue. **We would therefore like to place this item on the agenda for input and monitoring going forward.**

In addition, we would like to suggest that the committee embark on the collation of an employment policy document that will spell out the main employment conditions for SFARS across the university, and which will be updated regularly through collective bargaining. **We would therefore like to raise this as an issue for discussion in this forum going forward.**

Teaching, Convening and Supervising by SFARS

In terms of the 2010 collective agreement signed by the AU with management it was agreed that:

- *Teaching, convening and supervising by SFARS would be remunerated at the same rate as contracted teaching staff.*

The results of the recent SFARS survey shows that significant numbers of SFARS are teaching (62%) supervising students (60%) and that many are not paid for doing so (61% of respondents). **We have therefore requested a report under the AU's 2015 Collective Bargaining Demands as to why this situation persists in contravention of the 2010 agreement. In addition, we have demand that it is**

addressed urgently through a university-wide policy on payment for teaching by SFARS. We would like this item placed on the agenda for continued monitoring and reporting.

Funding Mechanisms for SFARS

Under the 2014 collective agreement signed by the AU with management it was agreed that:

- *A central allocation will be made by the URC from 2014 to allow for research support specifically for appropriate categories of academic research staff.*

We have had no report since the 2014 bargaining agreement as to the allocation of funds by the URC to research support specifically allocated to appropriate categories of academic research staff, including SFARS. We do know, however, from the SFARS survey that few SFARS (35%) reported getting funding through these channels, and only a very small percentage of these people received funding more than once. **We therefore request that this item be placed on the agenda for reporting going forward.**

There have been some changes during 2015 to the amounts that are levied on permanent SFARS staffing costs (an additional 1% having been added). This has raised questions within our group in respect of the amounts we contribute to this contingency fund, and the benefits that we are eligible for, and receive. **We therefore request that the University provide us with a report that shows the amounts contributed by soft-funded research units/centres to this contingency fund, along with the amounts that have been drawn against it.**

Since the institution of the Pilot Project in Health Sciences, we have had little in the way of report-back as to the progress of the project, or consultation on the implication of its findings in respect of funding mechanisms for SFARS (including salary support) generated by publication subsidies from their work. We have also had little feedback after consultation on proposed models being investigated in EBE and FHS. Yet, our data from the survey shows the large amount SFARS contribute in terms of publications: for example, 88 SFARS members contributed 904 peer-reviewed journal articles and 99 peer-reviewed book chapters alone over the last 5 years. **We would therefore like to request that the University provide a report on each of the following:**

1. **The existing models for distribution of publication subsidy income that are in place in each Faculty.**
2. **The numbers of publications and amounts of subsidy garnered from SFARS in each Faculty, and where this income goes in the University and Faculty budgets.**
3. **The progress of the Pilot Project in FHS and other initiatives to investigate models under consideration for this purpose.**

3. OTHER KEY ISSUES

Transformation

SFARS staff are a critically important constituency in respect of the challenges that the University faces in transformation, since many of the issues that have been raised in the course of the recent debates on campus are particularly relevant to us. It is extremely difficult to attract and retain black South African

researchers in the soft-funded context, given the problems with job instability; a lack of alternative means to ensure salary support; the lack of other career development support for contract (and therefore, often SFARS) staff; teaching, supervision and convening that is onerous and unremunerated; and the fact that SFARS staff are often locked into cycles of (relatively) short-term, repeating T1 or T2 donor-funded contracts that provide little in the way of access to benefits and security. These factors also mean that soft-funded staff, who are also often young Black researchers, remain concentrated in the lower academic ranks, and struggle to achieve ad hominem promotion. More senior staff (who would act as mentors to young staff) often move out of research units and centres – and even the University – to jobs with more stability, creating a mentorship vacuum, and exacerbating financial and job insecurity as they take their project funding with them. The data from the SFARS survey illustrate these trends clearly.

The upshot of the conditions of employment for SFARS are dire in terms of transformation: we offer very little in terms of promoting and/or meeting employment equity targets given the fact that our employment conditions are unattractive to in-demand black South African candidates; and also fail to provide meaningful career development trajectories for those dynamic young candidates that we do attract. As a result, we have high levels of attrition among these groups of staff, with the cumulative effect being emphasis on "intake" rather than "retention". Where SFARS staff and Units have raised these debates within faculty management and transformation forums, they have been met with understanding, but little in terms of pragmatic solutions. The University does not, for example, provide sabbatical leave for those on Research contracts, which may provide respite from the pressures of donor-funded project activities and outputs that may allow researchers to publish what is necessary to rise up the ranks.

Unfortunately, too, SFARS staff are seldom specifically included as a constituency in discussions around transformation and employment equity – despite the impact that their decisions and staffing fluctuations will make to the staffing profile in years to come. SFARS are included in staffing data, and therefore in projections around employment equity targets and race-based staffing profiles, but little cognisance is taken by (predominantly GOB-funded) senior management of the ways that the highly unstable work environment experienced by SFARS may impact any models that may be produced.

In addition, discussions around imperatives and mechanisms to change staffing composition have indicated that the University considers SFARS to be a major source of new positions for black South African academics. The responsibility for funding – and sustaining – these people and positions will therefore fall to already-strained SFARS units and researchers, with little consultation and/or discussion of how the University will contribute to sustaining these shifts.

It is therefore essential that SFARS be represented as a key constituency in discussions around transformation of the University. In addition, we request that the University report on how SFARS have been consulted and dealt with in the university's employment equity report and transformation strategy.

Cost Recovery

The issues around cost recovery are significant for SFARS staff. The opening paragraphs to the UCT cost recovery policy suggest that the system aims at "equity i.e. a fair apportionment of overhead costs without incurring excessive administrative overheads" and goes on to state that "the thrust of the new approach is therefore on increasing income rather than dividing up (or taxing) existing income." The paragraphs from

which these quotes come reveal a narrow and often unrealistic understanding of the research environment – especially soft-funded research. It appears the drafters have only one model of research funding in mind, namely a GOB researcher, possibly with one or two contract researchers, funded by a research grant. As a result of this one-dimensional approach, the cost recovery system often does precisely what the above paragraphs say it is not meant to do – in other words, taxing existing income, increasing the amount accruing to the university and reducing the amount going to researchers and units. The claims that many funders are happy to part with more funds than would be the case if there was a fixed levy, that this increased income will flow to researchers, and that the policy does not constrain the amount that will flow to researchers, does not resonate with the experience of SFARS to date.

As mentioned above, we have been made aware that a new cost recovery system is or has been developed, which will have serious implications for research funding. While there have been presentations and ‘road shows’ to present both the old model and aspects of the proposed new model across the University, the ‘new model’ remains shrouded in mystery – particularly in respect of its application to soft-funded projects, and the impact that this will have on project funding, and consequently the (in)stability of the SFARS sector. Those of us on the SFARS Steering Committee who have attended these presentations have left without any clarity on what the new model will definitively look like, and even whether it will apply to our proposals, given differences in interpretation of the Intellectual Property from Publicly Financed Research and Development Act, 2008 (IPRfPFR&D Act) between ourselves and the Research and Contracts Offices. Our advice on the Act indicates that:

- The IPRfPFR&D Act specifically excludes copyrighted works from its ambit. The Act therefore does not justify copyrighted outputs being fully costed (which form a large part of the work of many SFARS). In such cases the Dean of a Faculty should have discretion as to the rate of cost recovery charged. However, to our knowledge this has not been conveyed to Deans.
- Nowhere does the IPRfPFR&D Act state that if intellectual property is transferred to the party commissioning the research then a full cost approach must be adopted. Yet we have been told repeatedly that this is the case and that the hands of the University are tied by the Act.
- The objective of the IPRfPFR&D Act is to secure the benefits of intellectual property for the public good. If this is not possible, i.e. intellectual property transfers to a private entity, then we are told that the research must be fully costed. However, if intellectual property transfers to a public entity, in particular the South African government, there is no rationale for the research to be fully costed. In such cases the Dean of a Faculty should have discretion as to the rate of cost recovery charged. However, to our knowledge this information has also never been conveyed to Deans.
- The Act makes provision for the National Intellectual Property Management Office (NIPMO) to provide “appropriate standards and best practices in consultation with a recipient [i.e. a publicly funded institution such as UCT], without limiting the power of the recipient to act in its own interests in terms of this Act” (s 9(4)(d)). This clause appears to give the University considerable latitude to develop a cost recovery system that supports its research-driven mission. However, the provision seems to have been ignored.

There is clearly a lack of information, consultation and transparency around the issue of cost recovery. In addition, our internal discussions show that the cost recovery models and formulae are being differentially applied for different Units. Survey results show that more than 60% of the respondents did not know what the ‘new model’ is, and very few SFARS (13%) felt that it would work for their projects. Respondents in the survey felt that the new model would “dis-incentivise collaboration with researchers in other countries or in South Africa”, would “price us out of the market,” would make proposals “too costly for the funder,”

and would make it “increasingly unsustainable to operate, by taxing the most productive activities more heavily.”

The cost recovery system can only be equitable if there is consultation and agreement on an equitable policy that is uniformly applied across Faculties. For some years SFARS staff have in various forums tried to engage with the University about arriving at an equitable system, without success. So far as we are concerned the current cost recovery system disregards or does not adequately recognise the contribution made to the University by SFARS staff, and is increasingly opaque.

We believe that – as the generators of much of the funding that would bear the new cost recovery framework (some 60% of SFARS in our survey reported bringing in external funding in the last 5 years) – we have not been sufficiently consulted on this issue. We believe that an appropriate cost recovery system should be introduced for all research, and that all research that can be excluded from the ambit of the IPRfPFR&D should be excluded and dealt with in terms of the University’s agreed cost recovery system. Consultation should take place with research staff over the design of this system so that it is transparent and fair. We therefore underline our demand (included in the 2015 AU Collective Bargaining Demands) that the University provide us with a report on the progress in respect of the new model, and an explanation of why there is such a lack of transparency with regard to this process.