

## The development of ECC, HERA and FEDRA

### Summary of key events

	<b>Internal</b>	<b>External</b>
1986		Enderby Vs Frenchay Health Authority begins
1989		Danfoss judgement by ECJ
1992		Enderby case resolved at ECJ  Expansion of Higher Education through conversion of 35 polytechnics to universities
1993		Fender Report (called for reform of HE pay structure and negotiation process)
1994	Universities Competences Consortium (UCC or Comcon) formed, representing 71 UK Universities.	
1994	Educational Competences Consortium Limited incorporated	
1997	HERA launched	Dearing Report (an independent committee should review HE pay and conditions)
1998		Bett Report (job evaluation should be introduced; HERA is appropriate)
2002	HERA revised	
2004		National Framework Agreement  NHS Agenda for Change
2006	Additional services developed	
2007	FEDRA launched  ECC renamed Educational Competencies Consortium Limited	

2015	Launch of ECC Online	
2015	First international partner / client	
2018	128 consortium members	
2019	<b>ECC 25 years old!</b>	

## **1980s**

In 1986 Pamela Enderby raised an equal pay claim against Frenchay Health Authority, arguing that the work of (predominantly female) speech therapists was of equal value to pharmacists (predominantly male). The case began a six-year journey through UK and European legislation.

Around this time there were interesting developments in computer-aided job evaluation and ground-breaking work in organisations such as the Civil Service and the BBC to reform pay structures in response to the European Court of Justice 1989 Danfoss case (Handels-og Kontorfunktionærernes Forbund I Danmark v Dansk Arbejdsgiverforening) which required transparent and non-discriminatory criteria to underpin pay decision making.

## **1990s**

A number of factors were affecting Higher Education, from within and outside the sector. These included the new approaches to human resource management that were being adopted by employers in the public and private sectors, including fresh thinking on equal opportunities and the use of competencies.

When the division between the then-polytechnics and universities ceased in 1992, it became apparent that both types of higher education institutions had similar problems. There was a proliferation of pay rates and bargaining units, and existing grading and job evaluation systems were seen by managers as unsatisfactory. Employment and management practices were creating more problems than solutions, and changes to legislation regarding equal pay for work of equal value were causing personnel professionals and senior managers to question existing practice.

## **1992 Enderby resolved at ECJ**

The Enderby case was finally resolved by the European Court of Justice in 1992, requiring objective justification for differences in pay between women and men for work of equal value.

## **1992 Further and Higher Education Act**

The Act made changes to the funding and administration of Further and Higher Education within England and Wales with consequential effects on associated matters in Scotland which had previously been governed by the same legislation as England and Wales. The most visible result was to allow thirty-five polytechnics to become universities.

## **1993 The Fender Report**

The report produced by a working group chaired by Professor Brian Fender "Promoting People: a strategic framework for the management and development of staff in UK universities" was published by the Committee of Vice-Chancellors and Principals of the Universities of the United Kingdom (CVCP; later to become Universities UK).

Fender identified two major problems:

- As jobs evolved and new kinds of work and jobs emerged, boundaries between staff groups as defined by the pay negotiating arrangements were getting blurred.
- Statute and case law in the field of equal pay for work of equal value was stripping out the defences available to employers.

Among the 11 main recommendations were:

- All salary structures should be replaced by a single integrated structure for all staff, allied to harmonisation of conditions
- The introduction of national single-table bargaining
- The recognition that "only an analytical job classification scheme will satisfy equal pay requirements" as pay structures and levels based only on market forces would not meet equal pay requirements
- CVCP should commission a scheme covering all categories of staff
- HR management in universities should be strengthened

## **1994 UCC formed**

The Universities Competences Consortium (UCC, occasionally referred to as Comcon) was formed representing 71 UK Universities. UCEA provided support, administration and office space for the new UCC.

## **April 1994 Educational Competences Consortium Limited incorporated**

The company defined its purpose as:

*'To use the combined resources of member Universities to explore approaches, including competences, for developing an appropriate, practicable, equitable and cost effective methodology for analysing job content in Higher Education institutions in a way which is responsive to the differing needs of institutions to support a range of local HRM objectives'.*

Over 100 HEIs join.

### **August 1994 Invitation to tender for job analysis feasibility study**

Commissioned by UCC trading as Educational Competences Consortium Ltd

### **January 1995 Tower Perrin contracted to carry out feasibility**

The research objective was to examine the feasibility of using competences as a means of analysing job content. Methods included desk research, interviews, UCC Management Committee workshops, and University visits (to Bristol, Brunel, East Anglia, Loughborough, Sheffield and West of England).

### **July 1995 Feasibility report recommendations**

The report supported the conclusion of the UCC Management Committee in recommending an integrated model based on behavioural competencies and factors. A number of organisations were moving in this direction, recognising the limitations of using the largely 'contextual' focus of factors alone whilst not wishing to abandon an established and robust factor-based approach. Such an approach would be 'leading edge' insofar as there were few organisations where competency based or integrated approaches to job analysis/sizing had been in place for several years.

Transparency was central, not only to comply with Danfoss (1989) but to gain acceptance from Trade Unions and the wider HE workforce.

The Action Plan set out key stages and dates for the development:

- Detailed research to develop appropriate factors and behavioural competencies (Autumn/Winter 1995)
- Development of software application(s) (Winter 1995 and ongoing)
- First trial and testing of factors/competencies to ensure face validity, practicality etc (Spring 1996)
- Testing and review of weightings to ensure robust results supportive of equal opportunities practice. This would be a further critical phase (late Summer 1996)
- Agreement on a sound and robust framework for local adaptation
- Development of guidance and training materials
- Development of launch plan and communications
- Determination of the continuing role of the UCC
- Job analysis system by late Autumn 1996 ready for launch in Winter 1996

### **May 1996 Contracted Towers Perrin (later Towers Watson) to develop the scheme**

Towers Perrin undertook consultancy and scheme development (and provision of software). They first visited 14 universities and colleges, using the data to form initial ideas of possible factors and competencies, which were refined into 14 Elements.

These would be used to construct a profile for each role found in Higher Education, compiled by means of a structured interview. The interview would be conducted by a trained role analyst, who would gather evidence from the role holder or from a group of role holders who occupy similar roles or work together in a functional group. A questionnaire would be completed on the basis of the evidence and the resultant scores entered into the database.

Careful consideration was given to the terminology used in the scheme. 'Role' was used instead of 'job' as many working in the sector felt a vocation rather than employment, and staff held a wide range of responsibilities often allocated on the basis of an individual's strengths and interests. These sector characteristics also required the scheme to be highly flexible, evidence-based and robust in the analysis of work being done.

In all, some 259 interviews took place in a total of 40 HEIs. The results were used to test the adequacy of the questionnaire, and as a part of the later complex process of drawing up the scoring and weighting of the scheme. The questionnaire finally comprised 50 statements, carefully worded to reflect how the role holders described their work.

ECC decided to purchase and customise Towers Perrin's *Evaluation Framework* software. The software allowed the data in the database to be manipulated, produced useful information, calculated scores rapidly and accurately, and carried out a range of validation checks. As the software needed to be tailored and the scoring and weighting systems tested, a further set of role profiles was obtained from other holders of the 100 representative role profiles in 15 more institutions, again by interviewing role holders. The results of these interviews were also used as examples in the database. In all, over 2000 staff in more than 60 HEIs had contributed to the process of developing the system by this time.

### **May 1997 HERA (Higher Education Role Analysis) delivered**

The name HERA was chosen both because it reflected the initials of Higher Education Role Analysis and because of the association with the Queen of the Greek Gods.

Four Universities and two Colleges of Higher Education were selected to be pilot sites (Hull; Oxford Brookes; Heriot-Watt; The University of Wales College of Medicine; The London Institute; and Westhill College, Birmingham). Senior Management agreement was obtained and a number of individuals trained as role analysts. The trade unions, nationally and locally, were kept informed throughout and all were actively involved save the AUT and NATHFE, who had declined the invitation.

### **July 1997 Dearing Report**

This recommended that *"higher education employers appoint, after consultation with staff representatives, an independent review committee to report... on the framework for determining pay and conditions of service"*.

### **January 1998 HERA pilot outputs**

ECC member conference reviewed the findings of the HERA pilot.

### **Early 1998 Bett IRC established**

The Independent Review Committee called for by Dearing was set up at the beginning of 1998 under Sir Michael Bett. ECC submitted a document describing the development and testing of HERA, arguing that HERA could deliver an equitable, consistent and transparent means of establishing basic pay rates for all categories of staff as called for by the 1997 Dearing Report.

### **May 1999 Bett Report**

Bett's IRC Report recommended that job evaluation be introduced to underpin reforms in pay structures. The Committee found that:

*"HERA seems to be an appropriate tool for the purpose: it has clearly been designed to take account satisfactorily of the range of roles peculiar to Higher Education as well as those roles which are common to other sectors, and particular care has been taken in the weighting of its 14 job elements to ensure that equal value considerations are fully addressed."*

### **Agenda for Change development 1999-2004**

The government conducted a review of pay and grading scales throughout the NHS. At that time the estimated cost of cases in the NHS was around £6m, and it was felt to be cheaper to reform the system that settle the cases. The Agenda for Change White Paper 1999 was produced under Blair's Labour government, with a Head of Pay Modernisation post

advertised the same year. It would take five years before Agenda for Change came into operation in December 2004.

### **2001-04 HEFCE funding for HR (round 1)**

In England, the HEFCE 'Rewarding and Developing Staff' initiative provided £330 million from 2001-04 for human resource strategies, including for the introduction of institution wide job evaluation systems.

### **2001 JINCHES formed**

Joint Negotiating Committee for Higher Education Staff.

### **2001-02 HERA roll out**

ECC and the major sector Trade Unions agreed to undertake national joint implementation trials to roll out HERA, with MSF (Amicus, T&GWU, Unison and NATFHE actively involved).

At the beginning of 2002, seven research-intensive universities got together to check the original HERA weightings to determine whether there was any significant variation according to university mission. They decided to repeat the original Conjoint Analysis exercise, and appointed Research International to assist. Despite their concern about Teaching and Learning being more highly weighed than Research, Investigation and Analysis, they found that changing the weighting did not significantly alter the rank order of roles so they decided to endorse with the original weighting.

The ability to alter weighting was preserved, providing ECC could be satisfied that any new weighting was developed with the same rigour and robustness of the original scheme development. To enable this and to provide total transparency, details of the way in which the weighting scheme was developed and how it operated was offered confidentially to members.

### **March 2002 JINCHES guidance on role analysis and job evaluation**

Not agreed by AUT.

### **September 2002 revised HERA issued**

### **2003 AUT acceptance of HERA**

The AUT (later to merge with NATFHE creating UCU) and ECC agreed joint work to operate a union job grading approach for academic and academic-related staff alongside HERA. Joint projects undertaken in Leeds and Wales helped considerably to develop the AUT's trust in and acceptance of HERA for use with academic and academic-related staff, and in 2003 the AUT accepted the use of HERA.

### **July 2003 National Framework Agreement**

Union and employer agreement of JINCHES 'The National Framework Agreement for the Modernisation of Pay Structures' would reform pay structures, grades and some terms and conditions across the sector. Importantly it required employers to implement a new 51-point HE pay spine and associated pay and grading arrangements no later than 1 August 2006. Around the same time the Career Mapping function was added to the HERA software.

### **2004 Framework Agreement implementation**

ECC supported UCEA through membership of the Technical Working Group, and played a significant part in the development of the National Library of Academic Role Profiles in March 2004. ECC also contributed to the successful implementation of the Framework Agreement through the provision of guidance and training and from the high levels of the trust achieved with the Trade Unions.

Initiated by the Northern Universities Pay Club, work started on the development of a Competencies Framework to support other HR functions in addition to pay and grading.

### **2004**

Introduction of NHS Agenda for Change.

Career map and pay modeller added to the HERA software.

### **2004-05 HEFCE funding for HR (round 2)**

Round 2 of the initiative made available £167 million over 2 years from 2004-05. Again, job evaluation was central to the key criteria for successful funding.

### **2005 KPMG evaluation of sector**

KPMG's evaluation of the HEFCE Rewarding and Developing Staff initiative finds much activity around job evaluation, with it being undertaken in 80% of HEIs but with limited implementation, some 30% of HEIs still being only at pilot stage with the August 2006 deadline for implementation of the national pay Framework Agreement looming.

### **2006 ECC developments and service expansion**

The Labour Market Pay Data service provided by NHS Partners (later Capita Research) started.

ECC introduced its consultancy service.

The 'Toolkit' was launched, providing the competency framework underpinned by Towers Watson's Career Mapping software.

The HERA software moved to a web-based platform.

ECC engaged in a rebranding exercise to focus on HERA rather than the organisation, and the ECC office moved from UCEA to the University of the Arts.

### **2006 Assessment of HERA for College sector**

ECC engaged in partnership with three Scottish Colleges to "*evaluate the effectiveness of the system and the appropriateness for further education*". In October 2006 the ECC Board was informed of the pilot's success.

### **January 2007 Launch of FEDRA (Further Education Development and Role Analysis).**

### **November 2007 ECC renamed Educational Competencies Consortium Limited**

### **2008 ECC moved to Gray's Inn Square, London.**

### **October 2008 Capita review of HERA**

The 'Independent Review of the Higher Education Role Analysis Scheme and its use by Higher Education Institutions' (Capita review) found HERA to be the most commonly used job evaluation tool in use in HE, with high levels of satisfaction amongst HEIs and trade unions.

### **2009**

Version 7 of HERA software released.

### **2010 UCEA review of Framework Agreement implementation**

71% of those surveyed by UCEA [n=116] used ECC's Higher Education Role Analysis (HERA) scheme and 27% used Hay. One HEI used EQUATE and one used more than one scheme (2%).

### **2014-15 ECC Online**

Following a tender process ECC commissioned DCSL to conduct an extensive rebuild of the HERA/FEDRA software in 2014. Moving from the Towers Watson platform meant ECC had for the first time full ownership and control of the software, reducing ongoing costs and bringing significant improvements in flexibility, user experience and functionality. The new software, ECC Online, was rolled out to all members in early 2015.

### **2015 First international MoU/MoA**

ECC signed a Memorandum of Understanding and Memorandum of Agreement with Universiti Sains Malaysia, Penang, and delivered a training programme in London for Malaysian delegates. A second training programme was delivered in Malaysia in 2018.

### **2017-18 Service developments**

Refreshed Labour Market Data service.

Addition of unique International Pay Calculator to ECC Online.

### **2017-18 Colleges Scotland contract**

Following a comprehensive tender process, ECC was successful in winning a contract to roll out FEDRA to all FE colleges in Scotland. Implementation will be in 2018-19.

#### Source documents

Promoting People: a strategic framework for the management and development of staff in UK universities [the Fender Report], CVCP, 1992

ECC Memorandum and Articles (1994 and later amendments)

Invitation to Tender (August 1994)

Job Analysis Feasibility Study (1995)

NATFHE Commentary on the Bett Recommendations (1999)

History of HERA Handout (2003)

Independent Review of the Higher Education Role Analysis Scheme and its use by Higher Education Institutions (2008)

UCEA - New JNCHES Pay Framework and Data Research Working Group – Framework Agreement Analysis Report (2010)