

Points of response to recent emails from “Tier 4 PHD students”

1. The student has requested clarification of how their rate of pay for undergraduate supervision work has been calculated.
2. There is a claim that the Colleges classify undergraduate supervisions as “piecework”, with reference to government guidance at:

[Minimum wage for different types of work: Paid per task or piece of work done - GOV.UK \(www.gov.uk\)](https://www.gov.uk/minimum-wage-different-types-work/paid-per-task-or-piece-of-work-done)
(<https://www.gov.uk/minimum-wage-different-types-work/paid-per-task-or-piece-of-work-done>)

This presumably stems from the statement in the worker’s agreement where it states (highlight added):

Duties To conduct pieces of work (undergraduate supervisions) for the College agreed with a Director of Studies of the College, or (by secondment) for another College agreed with a Director of Studies there, **up to the maximum number of working hours permitted by the University’s Regulations**. No supervisions shall be undertaken for another College before the College has notified the Student that it has agreed to that work.

3. Actually, in reviewing the government guidance in full, the conclusion is that the work is not “piecework” but “unmeasured”, with reference to the relevant government guidance at:

[Minimum wage for different types of work: Paid in other ways \(unmeasured work\) - GOV.UK \(www.gov.uk\)](https://www.gov.uk/minimum-wage-different-types-work/paid-in-other-ways-unmeasured-work)
(<https://www.gov.uk/minimum-wage-different-types-work/paid-in-other-ways-unmeasured-work>)

Paragraph 9 of this document outlines the rationale for that conclusion.

4. That guidance places obligations on the employer, which are:
 - a) to outline a “daily average agreement of hours” (agreed in writing in advance).
 - b) to be able to prove the number of hours worked is realistic (for the remuneration).

Daily average agreement of hours

5. This is already stated in the worker’s agreement, both in the “Duties” paragraph of the assignment schedule for undergraduate supervisions (as quoted above) and in paragraph 1b of the Terms and Conditions for Temporary Work. In both places, it highlights that the maximum working hours in any week is restricted by University Regulations, and – for postgraduate research students – this is currently 10 hours per week (taught postgraduate students should not work at all).¹ This additionally requires both their PhD supervisor and their Tutor to support them taking up this work.
6. The “daily average agreement of hours” is therefore 2 hours per day, or 10 hours per week, or 80 hours per Term. While this is not explicitly stated in the Assignment, the information is provided in writing by referencing the University Regulations, and provided in advance.
7. (As an aside, students on student visas are additionally restricted: as part of their immigration conditions, they cannot be self-employed and can work up to 20 hours per week).²

¹ Source: <https://www.cambridgestudents.cam.ac.uk/your-course/graduate-study/your-student-status/working-while-you-study>

² Source: <https://www.ukcisa.org.uk/Information--Advice/Working/Student-work#layer-6644> Always check the individual immigration document.

Proving the number of hours worked is realistic (for the remuneration)

8. With reference to the government guidance, it is our conclusion that supervision work is not paid by the hour, or paid per task, but is “paid in other ways”. The employer has an obligation to be able to prove that the number of hours worked is realistic – but a precursor to this is to explain why this methodology is required instead of a purely piecework calculation.
9. The work input (time taken) to deliver one or more supervisions is subject to substantial, significant and largely unquantifiable parameters, including:
 - a) familiarity with the model of undergraduate teaching at Cambridge, including the role of supervisions in the overall provision of the collegiate University.
 - b) the specific Tripos Part, paper or topic, and whether there is any commonality between different supervision groups taught by an individual supervisor.
 - c) the number of supervisions provided by the supervisor, the size of each supervision group and the number of groups taught by the supervisor.
 - d) familiarity with the specific course content and wider knowledge around the subject.
 - e) the academic progress and engagement of the students.
 - f) the content the supervisor chooses to cover in any one supervision.
 - g) the work the supervisor chooses to set and/or mark for any one supervision.
 - h) the extent to which the supervisor chooses to use teaching resources provided by the relevant Faculty or Department, and any resources provided by the College.

While a supervision is paid for by “output work”, the input work needed for such delivery is therefore not measurable in any meaningful sense.

10. In proving that the numbers of hours is realistic (both for maximum limits of working and to provide assurance that any payments are above the national minimum wage), the following assessment is provided:
 - a) Around a quarter of a million supervisions are delivered annually, with 30% of them delivered by College Fellows, many of whom will be College Teaching Officers (CTOs) employed by the College and with significant duties prescribed for the provision of undergraduate teaching.
 - b) The most common length of working week across Colleges for their employees is 37.5 hours per week.
 - c) CTOs are likely to spend 0.66-0.75% of their time directly involved in the preparation and delivery of undergraduate supervisions.³ This is likely to be generous in that time allocation, given the other duties outlined in the footnote.
 - d) The majority of Colleges require their CTOs to provide, on average, 12 supervisions per week in Term time.
 - e) Using the parameters in b)-d) above, this results in the time to provide a single supervision being calculated as 2h05min – 2h20min.
 - f) It is recognised that CTOs are likely to be relatively efficient in their delivery, given the number of supervisions they provide. The “piecework” government guidance suggests that an uplift of 1.2 be applied such that “new workers will not be disadvantaged if they’re not as fast”. It feels more prudent to apply a factor of 1.5 given the wide variations outlined in paragraph 9 above.
 - g) A supervision consists of a (fixed) delivery time of one hour, with additional preparatory time.
 - h) Applying a multiplication factor of 1.5 to the preparatory time only, therefore, results in a calculated “realistic” length of time to prepare for and deliver a supervision as **2h35min – 3h00min**.

³ It is only possible to provide an estimate here. Commonly, other duties expected of CTOs include: participation in student recruitment and interviewing; College meetings; representing the College externally; pursuing learning and research; general participation on the communal life and governance of the College.

What are the consequences of this “realistic” length of time?

National minimum wage

11. Colleges agree an intercollegiate re-charge rate for undergraduate supervisions. The lowest-paid supervision (for a singleton supervision for an employed individual) in 2022-23 is £27.81 (this includes an averaged deduction for holiday pay entitlement from that re-charge rate). The national living wage in 2022 is £9.50. Payment at the national living wage is achieved, therefore, if the supervision is delivered within 2h55min, which is within the maximum range calculated above – and, you should recall, is based on the maximum assumptions of a realistic time spent on a supervision. Supervisors who deliver their supervisions more efficiently will therefore be paid above the national living wage.
12. To be paid less than the national living wage, therefore, a student would need to argue that the delivery of only one supervision in one week takes more than 3 hours of preparation and delivery time. (Similar calculations for a doubleton supervision increases this time to 3h27min due to the higher payment rate and so on...) This means that, while this hypothetical calculation might indicate that a supervisor would be working at (but not below) the national minimum wage, if the volume of supervisions is higher than one a week, then the potential for any individual to be working at this rate decreases.

University Regulation restrictions

13. With the restriction of not working more than 10 hours per week, this implies that research students should deliver no more than 3 or 4 supervisions weekly. Again, supervisors who deliver their supervisions more efficiently will be able to deliver more than that. (This figure can be doubled to indicate restrictions owing to immigration conditions, if appropriate.)

Claims that the time required is in excess of 3 hours for an individual supervision

14. The “Supervisor Expectations” guidance⁴ outlines:

Your provision should be tailored to the needs of the students you supervise. As a supervisor, you determine and decide the best teaching for your students, and you should ensure that your preparation time is proportionate to the number of hours you will be teaching: if you find the work needed to prepare for and provide your supervisions excessive you should raise this with the relevant Director(s) of Studies.

15. Should an individual have concerns about working below the national living wage, and on the presumption that it takes them – on average – more than two hours to prepare for every one hour of supervision, they should raise this with the Director of Studies for that subject in their College. This will allow conversations that might cover:
 - a) whether advice or support may be needed in supervision techniques.
 - b) whether their Tutor should discuss any financial needs that could be met by other means.
 - c) whether there are capability or knowledge gap issues that make the work untenable.
16. Finally, it should be acknowledged that the worker’s agreement operates on the principles of zero hour contracts with no mutuality of obligation (in advance) to undertake any supervision work. If a supervisor believes they are being offered work that, for them, pays less than the national living wage, then they should not (or should not be allowed to) undertake the work.

Dr M Russell
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⁴ https://www.seniortutors.admin.cam.ac.uk/files/supervisor_expectations.pdf, page 1