

# UK MAN Managers Group

## Notes of Meeting held on 16 October 2007 at HEFCE, London

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Present:

Dave Vinograd (Convenor)	
Mike Byrne (Deputy Convenor)	LeNSE
Kit Powell (Secretary)	SWERN
Jason Bain	NorMAN
Ed Carter	YHMAN
Geoff Cooper	LMN
Neil Francis	SWERN
Ian Griffiths	EMMAN
David Hayling	Kentish MAN
Mark Jameson	C&NLMAN
Chris Kelly	NIRAN
Paul Kentish	Kentish MAN
Andrew Kerl	LMN
John Linn	AbMAN
Linda McCormick	ClydeNET
Andy Mason	SWERN
Chris Price	WNL
Tim Robinson	NetNorthWest
Jem Taylor	UHI
Mike Whitehead	FaTMAN
Sam Wilson	EaStMAN

Apologies were received from:

Joe Burns	NIRAN
David Stedham	North Wales MAN
Ian Sugden	SWERN
Pete White	LMN

### 1 Preface

Dave Vinograd opened the meeting by expressing his thanks to the members of the negotiating team, Ed Carter, Tim Robinson, Jason Bain, and Paul Kentish, for the large amount of excellent work that they had put into the JPA negotiations; this was warmly endorsed by the meeting.

### 2 Notes of previous meeting

#### 2.1 Accuracy

In the minutes of the previous meeting held on 26 June 2007, John Cheesborough's name is misspelt.

### 3 JANET Partner Agreement

Tim Robinson reminded the meeting of the timetable that had been given to the liaison meeting the previous day:

25-Sep	Draft JPA text circulated for comment
28-Sep	Ops manual circulated for comment
10-Oct	Discussion of major issues (+lawyers)
17-Oct	Collation of all comments from UKMMG
18-Oct	Tele-conf to discuss cover requirements, SLs
22-Oct	Meet to consider UKMMG comments and agree drafting instructions for lawyers
26-Oct	Next draft available to negotiation team
06-Nov	Discuss next draft (+lawyers), ready for...
23-Nov	Chairs of MANs meeting

Tim pointed out that he believed that RPAN 2.5 would be extended only for those RNOs who had decided not to enter into the JPA: those who intended to do so would have to sign when the final version had been agreed, by the end of the year.

He commented that although the basis for the JPA was RPAN 2.5, there had been a number of changes in legislation and case law relating, for example, to the interpretation of such terms as “reasonable” and “best efforts”; these had had to be reflected in the new contract.

Tim and Jason then guided the meeting through the issues document, referring to the comments received from RNOs, which had been collated and circulated before the meeting.

As the comments made were noted for further discussion between the team and JANET(UK), and are likely to have been dealt with before these minutes are generally circulated, they are not recorded here. However, the following were touched on.

#### **3.1 Hours of Cover**

The extension of hours of cover and the reduction in the number of weekdays regarded as holidays was discussed at length. A number of issues had been noted, some of which were problems only for some RNOs, others for all except a few, yet others for all.

These included:

- Days defined as holidays, where there was no service offered under the JPA: these were currently proposed as Christmas Day and New Years Day, but there were both national (2 January is a non-working day in Scotland) and more local particularities. Whilst it was generally agreed that there should be adequate operational cover, for example between 26 December to 31 January (inclusive), operating the full services of the JPA might be effectively impossible for some RNOs.
- Access to PoP premises. Although it was accepted that access to the RNEP-housing premises at all times was a reasonable requirement (although it might be difficult to meet), RNOs with many scattered PoPs housed in small

institutions could find access very hard to arrange. It was acknowledged that co-location, in BT exchanges for example, was a solution to this, but noted that it would be extremely costly if implemented retrospectively in existing networks. (The distinction between major and minor PoPs offered some relief here.)

- The implications of the Working Time Directive on staff being employed after 23:00 were noted.
- The operation by JANET(UK) of a single reporting point for all JANET service problems, which JANET(UK) had mooted, was discussed. Whilst many welcomed this, there were reservations that faults reported by persons who were not nominated contacts would be passed on to RNOs (according to comments attributed to JANET(UK)). Also, there were RNOs who would be operating their own 24\*7 support services, and would prefer to retain this as the sole reporting mechanism.
- Whilst there was general agreement that it was reasonable to expect more than a skeleton service during, e.g., the Christmas break, the 27 December to 31 December period was now defined as Working Days, and would presumably count in time limit requirements in carrying out administrative actions (responding to complaints, for example). A distinction between Working and Business days was thought to be potentially helpful here.

### **3.2 Freedom of Information**

Tim noted that we have legal advice that companies owned by more than one body were not subject to the FoIA even if all the owners, being public bodies, were. However, this did not mean that the FoIA section of the JPA would not apply, as it defines assistance to be given by the RNO to JANET(UK) (and *vice versa*) to assist in the satisfying of information requests made under the provisions of the Act.

It was pointed out that there was equivalent legislation in Scotland, with a different designation, and suggested that a more generally drafted clause binding each party to assist the other in satisfying statutory requirements for information provision would be more appropriate.

### **3.3 Branding**

Tim explained the reasons behind the surprisingly exhaustive clauses relating to branding in the draft. A number of points were made, but there was general agreement that if the RNO was free to use its own JANET regional logo (and strapline) in combination with its own logo, this would remove many practical objections. This turns on the interpretation of what “combining” the JANET regional logo means.

The proposed changes to RN’s DNS names and mail addresses had not been discussed.

### **3.4 Change Control**

Tim said that many RNOs felt that moving the procedural and operational content from the contract to referenced documents, notably the Operations Manual, had resulted in the possibility of changes being made to the contract without the full involvement of one of the parties. The negotiating team were working with JANET(UK) to remove contractually-binding requirements from the OM and adding them to the JPA as SLs; the OM would thus become a ‘Highway Code’.

The team were also discussing with JANET(UK) a change control mechanism in which RNOs would be represented on a joint change control group, formally constituted and with members appropriately insured for professional liability. RNOs would be offered changes that the group had agreed. Major changes to the contract would be continue to be handled by the UKMMG negotiation team.

Dave Vinograd would approach Dave Cook to ask for funding for liability insurance, where required, for UKMMG members acting on behalf of all RNs should the change control group concept be agreed.

### **3.5 Funding**

A number of points were made.

- Mike Byrne re-emphasised the importance of providing complete and accurate operating cost returns to Steve Percival.
- Ed Carter noted that these costs should not include those for extending the hours of cover beyond RPAN 2.5 levels.
- Linda McCormick expressed concern that some RNs, for example those in procurement, would not be able to produce accurate costs as these were certain to change.
- Ian Griffiths pointed out that while the Operating Fund was generally recognised as essential for the smooth and successful operation of an RN, some RNOs were running at a loss so had no RPAN Reserve; nor would funding to meet actual costs allow them to build up a Fund. Tim said that this problem had been recognised and solutions were being considered.

### **3.6 TUPE**

Tim explained the background to the TUPE clauses (which were directly inherited from the RPAN). He also pointed out that where work was contracted out, employees of a sub-contractor could in some circumstances (for example, if they worked full time on the sub-contract) be subject to TUPE provisions.

### **3.7 Other JPA-related matters**

*(discussed later in the meeting, but included here for clarity)*

#### **SuperJANET5 funding**

Mike Byrne had a query relating to payments for SJ5 upgrades, which the negotiation team agreed to take up with JANET(UK).

#### **Extended hours cover**

Chris Kelly enquired how RNOs proposed to meet the increased requirement for operational cover in the JPA. A show of hands showed no predominant choice between self-provision and sub-contracting to one of a variety of types of potential providers (telcos, integrators, other RNO, JANET(UK)...). Mike Byrne volunteered to carry out a poll of RNOs' intentions and circulate the results. Geoff Cooper said that LMN would welcome input to the ITT currently being drawn up for the operation, management, and maintenance of LMN, which would include a framework which other RNs could use to procure some or all of these services. Any suggestions should be made quickly as the ITT preparation was in its final stages.

The potential difficulties of having out-of-hours network support carried out by those not involved in day-to-day operation was commented on.

#### **4 Report the SLA negotiation team**

Ian Griffiths reported that apart from the increased availability figure there were no significant changes in the new JISC SLA, which would commence on 1 November.

The Group's representatives for the 08/09 SLA negotiations would be Jason Bain and Paul Kentish.

#### **5 Report from JDAG**

Following a wind-up meeting no further JDAG meetings were planned.

The Technical Design Authority would come into being and meet for the first time in December. Three members would be drawn from the RN community, with expertise in large-scale RN management, IP routing, and optical networking. It was agreed that volunteers would express their willingness to Dave Vinograd, and selected names put forward to JANET(UK) CTO as the Group's choice (noted that there was no obligation on the CTO to accept all or any of these names).

#### **6 JANET(UK) issues**

In the light of the prevalently JPA-related nature of the meeting, it had been agreed with Steve Percival that he would not attend, but would mail any items he wished to raise to the Group.

#### **7 SuperJANET5**

This is a fixed item on the agenda.

Ian Griffiths expressed concern about Verizon's performance in fixing a fault in the SJ5 backbone connection of one of the EMMAN RNEPs. Verizon had failed, in three days, to identify this correctly as a fibre problem, and it had taken three more days for a working service to be restored. It had not been possible to establish who in JANET(UK) had ownership of the fault.

It was noted that JANET(UK)'s quarterly reports to the Community did not cover such incidents, as no site is directly affected.

It was agreed that the JDT would be an appropriate forum in future for this aspect of the service to be discussed.

Concern was generally expressed about the continued high level of failures in the fibre infrastructure used by Verizon.

## **8 Liaison with Chairs of MANs Group**

Members reported on the last meeting, which discussed the JPA. It was noted that as the chair of the group was about to step down, a review of its function and relationship with UKMMG would be timely.

## **9 UCISA-NG**

Ian Griffiths said that the NG appreciated new members and would welcome volunteers.

NG continued to press for full JANET operational cover on holiday Mondays.

## **10 Dates of future meetings**

Wednesday 17 January 2007 (*note change of date*) at HEFCE (WNL to pay for catering, minutes AbMAN)

Tuesday 22 April 2008

## **11 Other business**

### ***11.1 Secretary***

Dave Vinograd said that the Group's secretary was about to retire, and other arrangements would have to be made. It had been suggested that the duties might be split into: principally- administrative activities, such as booking accommodation and catering, and collating reports and circulating them, and the agenda, before meetings; and taking minutes of the meetings. Ian Griffiths had offered effort from EMMAN to do the first of these. Dave suggested that the second should be carried out by each RN in turn, in alphabetical rotation. The Group accepted this proposal.

The Secretary was warmly thanked for his work for the Group.