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5 March 2004

To: Heads of Universities and Colleges
cc: HR Directors

This Update reports more fully on yesterday's successful negotiations with NATFHE and EIS, on informal discussions with the AUT, and on yesterday's UCEA subscribers meeting.

PROGRESS WITH THE FRAMEWORK AGREEMENT

A. RESOLUTION WITH NATFHE AND EIS

1. Subscribers will be pleased to hear that meetings yesterday of the Joint Negotiating Committee for Higher Education Staff (JNCHES) and its Academic Staff Sub-Committee (ASSC) achieved a successful resolution with NATFHE and EIS on all their outstanding issues concerning implementation of the Framework Agreement negotiated last July.
2. Arising from that, NATFHE's national HE Committee agreed today to ballot their members with a clear and unqualified recommendation to accept the Framework Agreement. This ballot is likely to start on 9 March and run for a fortnight. EIS negotiators will be making a similar recommendation to their HE Executive on 10 March and a ballot of their members is likely to follow almost immediately.
3. The ASSC and JNCHES discussions leading to this successful outcome produced agreements that, **subject to ratification of the Framework by NATFHE and EIS** following consultation with their members:
 - a. JNCHES would issue:
 - a library of indicative role profiles for academic staff, and guidance on their use;
 - guidance on pay progression and contribution-related pay;
 - guidance on pay for hourly-paid lecturers in post-92 HE institutions;

and texts for these were agreed;

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- b. UCEA would consult its subscribers on addition to the Framework of a “safety-net” should inflation in 2003-04 exceed 3%.
4. The library of **academic role profiles** has been developed to assist institutions in the process of implementing new grading structures. It may be particularly useful for those HEIs which decide to adopt the model structure illustrated in Appendix C of the Framework Agreement, or close variants of that. There are 14 profiles in the library covering varying mixes of teaching and research activity at each of the five levels in the model academic career pathway. These are intended as reference points to help institutions with grading following job evaluation of their local benchmark roles. Whilst these documents will not be formally issued until after NATFHE and EIS have ratified the Framework, the full package of profiles and associated guidance will be issued to subscribers early next week as “final drafts”.
5. Similarly, we will circulate next week the “final drafts” of the planned guidance on:
- **pay progression** – which reiterates the basic principles set out in the Framework, identifies key points regarding good practice for the process of awarding contribution-related pay, and gives examples of the range of duties to be considered in drawing up criteria in respect of academic staff;
 - **pay for hourly-paid lecturers** – which outlines the issues to be addressed by post-92 HEIs (outside Scotland) in determining pay rates for these staff, ensuring equal pay for work of equal value once the present nationally agreed rates are superseded by new pay structures under the terms of the Framework.
6. Once ballots of NATFHE and EIS members are in train, with their Executives’ recommendation to accept, UCEA will consult subscribers on the addition of the proposed “**safety-net**”. The proposition will be that if inflation (measured by the RPI in the year to March 2004) exceeds 3%, the planned increase in salaries from August 2004 will be correspondingly increased up to a ceiling of 3.5%. As you will be aware, the latest RPI data shows a 2.8% increase (provisionally) in the year to January.
7. In the margins of yesterday’s negotiations, EIS and representatives of **Scottish post-92** institutions agreed a **Memorandum of Understanding** to assuage EIS concerns about possible disadvantage in the career earnings of their members. The text is attached.
8. If the NATFHE and (expected) EIS ballots produce positive outcomes, UCEA will be recommending post-92 HE institutions to implement the Framework Agreement forthwith for **all** their academic staff. These institutions may wish to start necessary payroll preparations so that back-pay to 1 August 2003 can be paid without undue delay.

B. DISPUTE WITH AUT

9. In view of the AUT's repeated public statements about the employers' refusal to negotiate, subscribers will wish to be aware that there have been informal discussions with AUT officers about a basis for resuming talks on their outstanding issues. These discussions will continue. Given the differences of views between trade unions, the TUC is involved.
10. UCEA's strong advice remains that pre-92 institutions should **not** implement the proposed August 2003 increase in salaries for non-clinical academic and related staff, unless they secure agreement with the AUT locally on implementing **all** aspects of the Framework.

C. UCEA SUBSCRIBERS MEETING

11. Over 150 representatives attended yesterday evening's UCEA subscribers meeting. They welcomed a report on the day's negotiations in respect of NATFHE and EIS's position on the Framework.
12. As regards the dispute with the AUT, subscribers reported the minimal impact on their institutions of last week's strikes and noted the possible implications of the assessment boycott **if** this were to prove effective. Those present were clear that partial performance could not be accepted and on the importance of communicating this to staff. Detailed arrangements for any consequential withholding of pay would need to be determined in the light of local circumstances (see UCEA Update 04/14 for detailed advice).
13. We will continue to keep you informed of developments on all these fronts.

JOCELYN PRUDENCE
Chief Executive

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Memorandum of Understanding – Post 92 Institutions in Scotland

In implementing the Framework Agreement, post-92 institutions wish to make it clear that, by use of spinal points and/or progression criteria, existing staff would not be disadvantaged in career earnings by the new arrangements compared with their current contracts or other defined local practices. Institutions will also make the arrangements as attractive overall for new staff. Equally we would expect the outcome of grading exercises to be consistent, fair and equitable with all the safeguards for which the Framework Agreement provides.

Local arrangements for both existing and new staff will be discussed in detail with the relevant unions (existing staff includes those on FE64 contracts who might in future wish to transfer to HE 2000 contracts together with the new grading structures).