

Paul Bridge and Ruth Smith  
Joint Union Side Secretaries  
Joint Higher Education Sector Trade Unions

**By email**

3 May 2022

Dear Paul and Ruth,

**2022-23 New JNCHES pay round**

Further to our second meeting of the 2022-23 New JNCHES pay round, I write to set out UCEA's revised and improved offer.

As you will recall, prior to that meeting employers had made an offer to increase the paybill by 2.9 percent, with uplifts of up to 6 percent and a minimum increase on all spine points of 2.75 percent. Following our meeting, employers agreed improve our offer by a further 0.15 percent, taking the overall increase to 3.05 percent. Our improved offer, attached at Appendix 1, provides for an uplift of up to 7.5 percent for staff on the lowest points on the pay spine, and a minimum uplift of 2.9 percent for staff on or above Spinal Column Point 20.

As we indicated we would do in the meeting, the employers have now modelled the structure of the pay spine based upon our improved offer. As part of this modelling, we agreed to model the removal of points as suggested by the Union Side. Unfortunately, the modelling we have done suggests that removing pay points in this round will be difficult. However, as set out in our letter of 21 April 2022, UCEA is willing to commit to the establishment of a New JNCHES pay spine working group. This would allow both an examination of the impact of any changes to the pay spine as well as ensuring any proposals are properly costed. The timelines we have put forward would allow any agreement on reform of the pay spine to be reached by 2024, in line with the timescale set out in the Joint Union claim.

Proceeding with this working group will require formal conclusion to the 2022-23 New JNCHES pay round following either agreement of the pay uplift or confirmation that it has been noted by the Joint Unions. For the absence of doubt, UCEA regards the 2021-22 pay round as being closed. We note that industrial action is still being considered in a minority of higher education institutions. We believe this creates unnecessary uncertainty at an already difficult time for students, staff and the sector in general. In addition, attempting to pursue a national dispute by taking industrial action in a small number of institutions will unfairly penalise a minority of students.

All other elements of our offer remain the same but are set here for completeness and should be read as a whole.

### **Career development, training and progression opportunities**

Promoting career development is something which our members, as good employers, support. UCEA would, therefore, propose the establishment of a joint working group to examine career development and training opportunities. We understand the aspiration of the joint unions that such a working group would explore, but not be limited to, technicians and the Technician Commitment and academic-related staff. We would anticipate that the working group would be able to identify good practice with regard to career progression from within and outside the sector. However, it would remain a matter for HEIs to determine their own policies on progression between grades.

### **Gender, ethnicity and disability pay gaps**

As we have stated previously and repeatedly, UCEA and its members share the commitment of the sector trade unions to taking action to reduce the gender, ethnicity and disability pay gaps. As the Joint Unions have recognised, this commitment was highlighted by the UCEA report *Caught at the crossroads: outlining an intersectional approach to gender and ethnicity pay gaps in HE* and UCEA's more recent research (October 2021), *Intersectional Pay gaps in HE*. UCEA's commitments in respect of the gender pay gap, and the steps already being taken by HEIs, were also underlined by the UCEA report *Taking action: Tackling the gender pay gap* which was also referenced in the joint unions' claim. UCEA would, therefore, support the creation of a New JNCHES time-limited task and finish group, with a clear timeframe and terms of reference to:

- examine the intersectional data, to the extent it is available, giving prominence to the findings
- invite HEIs to submit and/or publish their own data on a voluntary basis
- identify and promote good practice and the principles underpinning it, both within and outside of the sector
- make recommendations that HEIs adopt similar practices where they are able to do so
- Identify exemplar organisations which can help institutions that volunteer as pilots on their journey to reduce gender, ethnicity or pay gaps

### **Workload, mental wellbeing and Covid-19**

As a sector, higher education strives to provide leadership on positive support for staff health and wellbeing. Throughout the pandemic, the impact of remote or hybrid working on staff has been recognised by HEIs and they have developed programmes to support employee wellbeing and to protect and promote work-life balance. Building on these local programmes, and although workload is not within the scope of New JNCHES, UCEA recommends the following:

- HE employers and their local trade union representatives to engage in dialogue about establishing a local/institutional approach to concerns that arise relating to stress at work
- Where HEIs do not have such arrangements, that they put in place systems to enable individuals to raise concerns about their workload demands and to have this fairly examined
- That HEIs have or develop procedures, relevant to their own institutional contexts, by which they can assure themselves that individuals are being given appropriate and achievable work demands against the expectations of their role and the professional discretion they are expected to exercise
- Local action to reduce the incidence of work-related stress ill-health

In addition, through its existing structure of the Higher Education Safety and Health (HESH) Forum, UCEA will recommend that HEIs consider adopting the HSE Stress Management Standards approach (or suitable equivalent system) where they are not already doing so.

### **35-hour working week**

Across the sector, as many HEIs operate a 37-hour week as a 35-hour week, so UCEA needs to understand the unions' main aim with this particular demand. It is not clear from the Joint Union claim whether the demand for a standard working week at 35 hours is driven by a view that this is inherently the right length of the working week or whether it is simply about the value of the pay spine in relation to hours worked. In order to reach a better understanding of this issue, we propose research to establish the degree of variation in working week length between institutions, which can be promulgated to individual institutions to work up their own positions and discuss with their local trade unions. You will be aware that hours of work nationally are not a New JNCHES matter. You should be assured that with the overview UCEA has of the sector we are continually sharing with our members the distribution of the trajectory of different working weeks in the sector.

### **Scottish Sub-Committee of New JNCHES**

In the present circumstances, the view of employers is that there is nothing within the remit of New JNCHES which requires discussion at a devolved administration level. The core purpose of New JNCHES is to determine the uplift to the pay spine. In our view, it is not appropriate for negotiations on the pay uplift to be conducted at a devolved administration level given the existence of, and support for, a UK-wide process for collective pay bargaining. There are arrangements already in place in Scotland to discuss matters of joint interest outside pay.

### **Contract types**

The Joint Unions' claim seeks a commitment from UCEA for a joint call to HEIs in respect of several areas of employment practice which fall clearly within the remit of institutions as autonomous employers. However, in order to reach an agreement with the Joint Unions, UCEA is willing to communicate the following expectations to HEIs:

- We would expect HEIs to minimise the use of hourly-paid employment to situations which are genuinely unpredictable or where such arrangements are mutually agreeable to both parties. We recommend that HEIs have arrangements whereby contracts are reviewed for transfer to a fractional contract once an agreed hours threshold is exceeded. We would expect that staff moved from hourly-paid to fractional contracts as a result of such reviews would be assimilated to the appropriate pay spine point in line with local job evaluation procedures and associated pay and reward systems.
- We would expect that mechanisms exist for an individual who believes their hourly paid engagement does not provide fair terms for the work expected of them to have such a concern examined.
- We expect that when duties associated with supporting students' learning are being offered to an institution's doctoral students, individuals will be given clarity as to the work required and the remuneration for the work they perform, including where this constitutes part of a stipendiary arrangement.
- We expect institutions to have arrangements to pro-actively identify staff who have held a fixed term contract or succession of fixed term contracts which taken together meet the statutory threshold of 4 years for conversion to ongoing employment. We also recommend that institutions develop policies which seek to avoid an individual, unless to the parties' mutual benefit, being issued with a succession of fixed term contracts.

In addition, with reference to Graduate Teaching Assistant (GTA) contracts, UCEA is prepared to engage in joint work with the sector unions to establish information on the nature of GTAs and similar roles, and the nature of the issues faced by your members and ours in the use of such roles.

**Redeployment**

Although redeployment is not within the scope of New JNCHES, UCEA would agree to enter into discussions with the joint trade unions outside of New JNCHES to explore whether there are examples of best practice and mechanisms which could be promoted to HEIs and further improve visibility of opportunities at different institutions.

**Pay spine review**

As set out above, following agreement of the pay uplift, or confirmation that it has been noted by the Joint Unions, UCEA is willing to commit to the establishment of a New JNCHES working group to examine the drivers, impact and potential recommendations in respect of the compression of the pay spine. The group would examine this issue to see what costed recommendations can be made jointly. Our preference is for such a working group to develop a jointly agreed position which both UCEA and the trade unions could test with members in preparation for the beginning of the 2023-24 annual New JNCHES pay round. This would allow any agreement on reform of the pay spine to be reached by 2024, in line with the timescale set out in the Joint Union claim. This is, of course, dependent upon when the work can commence, which would not be until the round is formally concluded.

**Pay-related allowances and London weighting**

If our offer on the pay uplift is accepted or noted, we would recommend that all Post-92 HEIs that have retained separate London weightings increase these by the same percentage.

We share the desire of the Joint Unions to reach an agreement on the uplift relatively quickly. We trust that the Joint Unions will recognise the efforts of employers to develop a meaningful pay uplift which also addresses a significant number of the many elements of this year's claim. As we have highlighted previously, we recognise the difficulty the current inflationary pressures place on your members, our colleagues and all employees. Our offer represents our best attempt to meet these rising costs while recognising the real terms fall in the unit of resource alongside other significant inflationary cost pressures for employers. Student numbers remain highly variable between institutions, with clear falls at some. Virtually all sectors are finding it impossible to get close to inflation at this time and, in a sector where price increases are not possible and expenses are rising significantly, we believe the offer we set out in this letter is comparable to very many others in the economy. We hope, therefore, that you will put this offer to your members relatively soon.

For the absence of doubt, no single element of this offer will be agreed until all elements are agreed and the pay round is concluded.

Yours sincerely,



**Raj Jethwa**  
Chief Executive

## Appendix 1

### Proposed increases to Spinal Column Points 3 to 20 (Employers' offer – 3 May 2022)

|    | Salary from August 2021 | Percentage uplift | Salary from August 2022 |
|----|-------------------------|-------------------|-------------------------|
| 3  | £17,338                 | 7.5%              | £18,638                 |
| 4  | £17,596                 | 7.5%              | £18,916                 |
| 5  | £17,901                 | 7.5%              | £19,244                 |
| 6  | £18,212                 | 7.1%              | £19,505                 |
| 7  | £18,529                 | 6.6%              | £19,752                 |
| 8  | £18,852                 | 6.1%              | £20,002                 |
| 9  | £19,209                 | 5.6%              | £20,285                 |
| 10 | £19,623                 | 5.1%              | £20,624                 |
| 11 | £20,092                 | 4.6%              | £21,016                 |
| 12 | £20,600                 | 4.2%              | £21,465                 |
| 13 | £21,135                 | 4%                | £21,980                 |
| 14 | £21,686                 | 3.9%              | £22,532                 |
| 15 | £22,254                 | 3.8%              | £23,100                 |
| 16 | £22,847                 | 3.5%              | £23,647                 |
| 17 | £23,487                 | 3.3%              | £24,262                 |
| 18 | £24,174                 | 3.2%              | £24,948                 |
| 19 | £24,871                 | 3%                | £25,617                 |
| 20 | £25,627                 | 2.9%              | £26,370                 |