

New JNCHES negotiations 2019-20

Detail of the re-worked final offer made by the employers at the final negotiating meeting on 30 April 2019, presented on 25 July 2019

At the third and final negotiating meeting, held on 30 April 2019, the employers made the following final offer. Section 1.6 to 2.3 have had changes incorporated leading to the re-worked offer presented on 25 July 2019.

1. Pay elements

- 1.1 An offer of base pay uplifts to the New JNCHES pay spine points, from 1 August 2019, on points 2 to 16 as set out below. Points 17 and above to increase by 1.8%.

	Salary from 1 August 2018 (£)	Salary from 1 August 2019 (£)	% increase
2*	15,842	16,420	3.65%
3	16,146	16,736	3.65%
4	16,460	17,046	3.56%
5	16,766	17,361	3.55%
6	17,079	17,682	3.53%
7	17,408	18,009	3.45%
8	17,751	18,342	3.33%
9	18,189	18,709	2.86%
10	18,688	19,133	2.38%
11	19,202	19,612	2.14%
12	19,730	20,130	2.03%
13	20,275	20,675	1.97%
14	20,836	21,236	1.92%
15	21,414	21,814	1.87%
16	22,017	22,417	1.82%
17	22,659	23,067	1.80%
18	23,334	23,754	1.80%
19	24,029	24,461	1.80%
20	24,771	25,217	1.80%

- 1.2 Spine point 2 will be deleted*.
- 1.3 The offer is constructed to respond to the trade unions' request to address increases towards the lower paid where it is acknowledged that the cost of living pressures are felt most keenly. The offer therefore includes higher awards for points 3 - 16 on the pay spine worth up to 3.65% This will mean that the hourly rate for the lowest point on a 35-hour week will exceed the prevailing voluntary Living Wage.
- 1.4 The offer brings the average sector pay increase for 2019-20 to 3.4%, with more than half of the staff covered by the negotiations also eligible for progression pay increases typically worth 3%.

- 1.5 On London Weighting, the employers make a recommendation that those post-92 institutions that retain a separate London Weighting allowance would increase this by the same amount as the 1.8% uplift.
- 1.6 Employers who have participated in the pay round have done so with the intention of implementing the pay outcome. However, where there are extenuating circumstances, an institution may decide to defer or delay implementation of the increases for up to 11 months from the date when the award would have been due. It would be doing so on the grounds that this was determined to be in the wider interests of the institution's sustainability or due to immediate cashflow issues and would be done following discussion of the reasons with the institution's recognised trade union(s).

**HEIs that use point 2 may require time to adjust salary scales to accommodate the deletion of point 2. This should be achieved no later than 1 April 2020. HE trade unions will engage in positive discussions with employers where adjustments to institutional grading structures are required.*

2. Other elements of the unions' JNCHES claim

- 2.1 **On gender and ethnicity pay gaps:**
UCEA's pioneering work [Caught at the crossroads: outlining an intersectional approach to gender and ethnicity pay gaps in HE](#), which was published in December 2018, has provided a timely stimulation for HEIs considering these issues ahead of the expected statutory ethnic pay gap reporting.

As part of a composite settlement in 2019-20, the employers make four substantive offers:

- i) The New JNCHES parties acknowledge and encourage the genuine commitment shown by HEIs to closing the gender pay gap through focused and transparent actions at institutional level. Whilst noting that the GPG issue is not the same as equal pay, the New JNCHES parties encourage HEIs to continue to carry out regular Equal Pay Audits to assure themselves that pay inequalities are not a contributing factor to their gender pay gap.
- ii) The New JNCHES parties endorses and encourages the leadership being taken within the HE sector in examining ethnicity pay gaps, ahead of this becoming a legal requirement.
In terms of actions at sector level:
- iii) The New JNCHES parties agree that they would all issue statements to encourage members/employees to volunteer their protected characteristics information with their employers - highlighting the value of such information and its importance for future analyses of ethnicity, alongside gender, in pay gaps.
- iv) The New JNCHES parties commit to joint work to take the findings of the *Caught at the Crossroads* report and to seek examples from both HEIs and employers beyond the sector of how they are taking forward work on closing their identified ethnicity pay gaps:
 - The focus would be to understand ways in which the actions and interventions may differ from those designed to address the gender pay gap, whether the experiences of staff from different Black, Asian and minority ethnic (BAME) backgrounds are influencing interventions, and the intersectionality with gender.

- The aim would be to produce a joint report sharing learning across the sector.
- This work would commence after the current Athena SWAN review is published so that the terms of reference could take into account any significant developments arising from that review.

2.2 On the casual workforce

Following successful joint work by UCEA and the Trade Unions, we now have new data available in the HESA Staff Collection that examine 'zero hours' and 'hourly-paid' employees for the first time as well as identifying those employees who are apprentices. UCEA proposes that UCEA and the Trade Unions should work together to consider what can be learned from the examination of these data.

The employers note that the Trade Unions refer to the Taylor 'Good Work' definitions and can see that these are reflected within the New JNCHES Principles underlying good practice in fixed-term and casual employment (first established in 2002 and re-endorsed, with no changes, by the New JNCHES parties in 2016). The Principles provide an already agreed sector-level 'framework'.

As part of a composite settlement in 2019-20, the employers make five substantive offers for action at sector level:

- i) A new joint working group that would:
 - a) undertake an examination of the data in the HESA Staff Collection on 'zero hours' and 'hourly-paid' employees and;
 - b) produce a report of the sector-level analysis and findings.
- ii) A second tranche of these data will become available in March 2020. We propose that the group might be given the further specific task of reviewing these two years of data and reporting on findings.
- iii) UCEA offers to encourage local discussions to take place with a view to reducing the use of zero hours contracts, where this is not already happening or has not already taken place, and ensuring that if used for some roles this is done appropriately. It is the expectation of the trade unions that HE employers cease using zero hours contracts for any employment and use alternative arrangements that can provide flexibility.
- iv) The parties jointly recommend to HEIs that they use the New JNCHES *Principles underlying good practice in fixed-term and casual employment* as a framework when undertaking reviews of the HEI's arrangements for the engagement of hourly-paid, fixed-term and casual employees, where a review has not already been done. UCEA recognises the importance of institutions hearing from their own employees and recommends that such reviews be undertaken in discussion with the institution's recognised Trade Union(s).
- v) As an action already taken and given its importance to the understanding of the sector workforce, UCEA has worked with the parties to make a joint statement on the value of maintaining a full, compulsory HESA staff record. The loss of important data through the future non-requirement of a return for 'non-academic' staff will be retrogressive and detrimental to the sector's ability to demonstrate value for money and progress against equality objectives. This information is also vital for informed employer and Trade Union dialogue. Due to the timing of HESA's consultation on the future of the staff record it would be pragmatic to pursue this in a timely manner, outside the timeframe for concluding the 2019-20 negotiations.

2.3 **On workload issues**

HE sector employers take their responsibilities regarding the management of workloads and of stress seriously. Approaches to stress management are a matter that have in the last year been considered at sector-level by the Higher Education Safety and Health (HESH) Forum - comprising UCEA, the Trade Unions and the HSE. This has led to the joint production of a Stress and Mental Wellbeing resources pack incorporating a range of materials for use by HEIs including the HSE Stress Management Standards and related guidance, including trade union materials. This material is freely available for employers and Trade Unions to utilise in their discussions, using the well-established channels available in each institution.

As part of a composite settlement in 2019-20, UCEA offers the following actions:

- UCEA to promote the Stress and Mental Wellbeing resources pack jointly with the Trade Unions for HEIs to consider locally. The UCEA Chair would write to institutions to commend use of the resources pack.
- UCEA will relay to HE employers the Trade Unions' concerns that their members are increasingly reporting heavy workloads and stress at work. UCEA will also relay that it confirmed its expectation that recognised Trade Unions would pursue their concerns at an institutional level in respect of individual staff members who they claim may be working beyond their contractual commitments.
- The sector-level HESH Forum to take a role in refreshing and adding to the material in the Stress and Mental Wellbeing resources pack. This would include seeking good practice case studies to share with sector employers.

2.4 **On a Scottish sub-committee of New JNCHES:**

UCEA responded in some detail to this aspect in the Trade Unions' claim both last year and the year before. However, UCEA has once again sought the views of the Scottish HEIs participating in the 2019-20 JNCHES pay round to seek their direct responses to this request. With regard to the matters which UCEA, on behalf of the employers, is mandated to consider within the New JNCHES architecture, the Scottish institutions are clear that they wish these matters to be considered at the UK-wide national table.

As part of a composite settlement in 2019-20, UCEA offers the following action:

In order that New JNCHES can maintain a current view on the matters being discussed that are specific to Scotland and to the other devolved administrations, UCEA proposes that the New JNCHES autumn general meeting be used to take a report on sector-level developments in the devolved nations. For Scotland in particular, the meeting would receive a report on the matters that have been discussed at the forum for dialogue with Universities Scotland. The parties can then give consideration to the impact that developments within the devolved nations may have on the matters that will be discussed at New JNCHES.