

Briefing: dispute with Novus

The dispute between Novus and UCU concerns the employer's failure to meaningfully engage with UCU over matters of health and safety at work and further, creating a hostile industrial relations environment which is obstructing meaningful consultation.

Background

UCU wrote to all Prison Education Framework (PEF) employers on 5 January, following the national lockdown and knowledge of the new Covid-19 variant (B.1.1.7), to make a number of health and safety demands on behalf of our members working on prison sites. **Novus is the only PEF provider that has not engaged with UCU** that has not engaged with UCU in regards to these demands. Rather than engaging, the employer sought to expand the level of education activity on sites and the numbers of staff who have to attend sites in the adult estate, including delivery and teaching activities on wings. They have not engaged with UCU over revised risk assessments for this activity or other activities, or over safe systems of work. Members and reps have said that the risks that they are facing every day in their workplaces are serious enough to ballot for industrial action.

Industrial relations have also unfortunately deteriorated. The CEO of the LTE Group (of which Novus is the employer) wrote to staff directly and on social media, criticising UCU and the actions of local reps, branch officers and UCU staff. Members and reps have reported this to be intimidatory.

We cannot engage in good faith until the employer stops pursuing complaints and investigations against our branch officers and representatives. Ensuring there are robust health and safety systems in place for reps to address the issues that arise is essential. Good systems are in place with all other PEF providers and UCU branches, but not with Novus – this is unacceptable.

What are the issues with Novus' current approach?

We believe that Novus are putting the interests of PEF contract delivery ahead of staff safety. The employer is progressing education activity without meaningful consultation or collaboration in the development of generic risk assessments at a collective level and activity/location-specific risk assessments and safe systems of work at a local level. There are examples of increasing numbers of staff on sites and examples of sites where staff have been given little to no notice of expansion of education activity. In some workplaces, staff are being asked to deliver education to learners on different wings and expected to be

face to face for long periods. We are also extremely concerned about the increase in violent incidents that have occurred since face-to-face teaching recommenced in the Youth Estate, the lack of safety controls relating to ventilation in classrooms, and the implications this may have for the adult estate as delivery progresses.

What has UCU done to try and resolve this dispute?

UCU officials, including the general secretary, have held meetings with Novus and with the support of Acas but not enough progress was made to give us the actions and assurances which the branch believes necessary to resolve this dispute. The UCU general secretary has also written to government ministers asking them to intervene and help to resolve this dispute.

We have also met with Acas over two days, but the employer was unwilling to offer any reassurances regarding the matters outlined above until they have concluded an investigation. An investigation which we have been provided no terms of reference with, or who is carrying out the investigation or into whom and goes against any form of natural justice or fair and transparent industrial relations.

Why is the branch taking strike action?

Action will provide us with powerful collective means of opposing the intimidation of union members who are trying to protect themselves and their colleagues from unsafe working conditions. Strike action will apply pressure on the employer to engage in meaningful consultation and prioritise the health and safety of their hard-working prison educators.

We had hoped that a successful ballot outcome would in and of itself helped us to resolve the dispute without taking action. However, despite two days at Acas, we have not been able to resolve the dispute.

What does Novus UCU want?

1. To have a meaningful, mutually respectful and honest negotiation and consultation process that puts employee safety first.
2. Adoption of an agreed set of minimum health and safety standards with a robust plan and monitoring process to enable a safe return to full delivery.
3. Closure on all recent allegations made about UCU reps to provide a safe space for UCU to represent members.

May 2021