

New JNCHES Pay Spine review: Terms of reference

Background and purpose

The New JNCHES 2023-24 negotiating round includes commitment to a joint review of the UK HE pay spine, with time limited negotiations to seek agreement of a new pay spine and principles for its implementation, paying particular attention to compression within the pay spine.

The negotiations will seek agreement on a no detriment basis and ensure that the proposal is a properly costed, jointly agreed position which both UCEA and the trade unions are able to recommend to their respective memberships, in preparation for implementation from the beginning of the 2024-25 pay year taking necessary action after carrying out an Equalities Impact Assessment to rectify any discrimination exposed by that.

Remit of negotiations

The outcome of the negotiations will be an agreed, jointly costed proposal for the reform of the pay spine which will strive to standardise the differentials between pay points and be accompanied by a revised Appendix A to the New JNCHES Framework Agreement laying out the principles to be applied by HEIs during implementation and a revised Appendix B listing the new annual salary pay points. To achieve this, the following will be included:

- consideration of data relating to the use of the pay spine in the sector including, but not limited to:
 - o qualitative research relating to the challenges and limitations of the current spine from employers.
 - o quantitative data on grading structures and number of staff on each pay point, including equality data.
 - o secondary research on approaches taken to address similar pay and grading developments in other sectors.
- consider current and future developments through the pay spine, identify and seek to address/remove drivers of pay spine compression, including a potential mechanism to avoid future compression of the pay spine.
- model potential changes to the pay spine and examine the associated costs.
- agree a proposed new pay spine.

The remit of the negotiations will be to agree proposals for a new UK pay spine. It is recognised that the constituent members of New JNCHES will need to consult their members on such proposals; the intention of these negotiations will be to agree proposals that can be recommended for acceptance.

Both parties understand the importance of, and sign-up to the principle of, reaching agreement on a new UK pay spine. If agreement is reached both parties agree that the new spine will be recommended for implementation. In the unlikely event that no agreement is reached the existing position regarding the pay spine will remain as per the New JNCHES agreement.

Negotiating group membership

- 10 representatives from unions, one FTO and one lay rep from each union.
- up to 10 Employer representatives (including UCEA officers and representatives from HEIs).

For this work, support will be provided from ACAS with ACAS conciliators joining meetings as appropriate/needed to ensure that progress is being made.

Additional specialists may be invited with the agreement of both sides to provide input and research findings where relevant.

Pay spine review negotiations: Chair and secretariat

The negotiations will be chaired on an alternating basis.

The joint secretaries will act as co-ordinator between meetings.

UCEA will provide secretariat support to the negotiations.

Meetings

Will be held regularly and as required to progress work effectively within the agreed timescale.

The meetings can take place in person or virtually, so that the joint work can be completed within the agreed timescales and provide reasonable opportunity for both sides to participate.

Responsibility for hosting meetings will be shared between the employers the trade unions and ACAS as appropriate.

Timescales

The first negotiating meeting will be held as soon as possible with the aim to complete negotiations by the end of October 2023.

New JNCHES Equality Pay Gaps Negotiations: terms of reference

Background

The New JNCHES offer for the 2023-24 negotiating round includes a commitment to negotiate with the purpose of seeking to reach agreement in respect of contract types, workload and equality pay gaps.

The trade unions welcome UCEA's commitment to use its leadership and convening power to identify concrete steps which employers are able to implement locally with involvement of recognised trade unions using local consultation and/or negotiation machinery.

Gender, ethnicity, and disability pay gaps – purpose of negotiations

The parties will jointly:

- Consider the relevant data available and, where possible, collect data that is unavailable through HESA.
- Examine the relevant data through an intersectional lens for gender, ethnicity, and disability pay gaps, where available.
- Present an analysis of the data and the issues to be addressed at a UK-wide level, broken down for academic and professional services staff where possible, to New JNCHES and to HEIs, and relevant sector-level benchmarks to allow meaningful local action plans. UCEA will also recommend to its members to benchmark their results using the UCEA pay gaps dashboard.
- Explore the impact on pay gaps of direct and indirect employment strategies, while recognising that these are arrangements for each HEI to determine.
- Develop and agree principles and minimum standards which employers are able to apply in action plans to address pay gaps based upon good practice, from within and outside of the sector, timescales, and the role of trade unions in action planning. These action plans will be developed and implemented locally.
- Develop and agree guidance on positive action initiatives to address equality pay gaps within the university workforce which remove well-evidenced barriers and systemic bias.
- Encourage union members/employees to share protected characteristics data with their employers, highlighting the value of such information and its importance for future analysis of gender, ethnicity and disability in pay gaps and helping to address discrimination.
- Recommend to UCEA members to undertake timetabled Equal Pay Audits and then share all audit data with their recognised trade unions.
- Review progress on all pay gaps at a UK level, including the proportion of HEIs making progress towards sector benchmarks, on an annual basis and report updated figures to the trade unions and UCEA members with further guidance and examples of success, prior to the annual pay negotiating round.

Negotiating group membership

- 10 representatives from unions, one FTO and one lay rep from each union.
- up to 10 Employer representatives (including UCEA officers and representatives from HEIs).

For this work, support will be provided from ACAS with ACAS conciliators joining meetings as appropriate/needed to ensure that progress is being made.

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Negotiations: chair and secretariat

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New JNCHES Contract Types negotiations: terms of reference

Background

The New JNCHES offer for the 2023-24 negotiating round includes a commitment to negotiate with the purpose of seeking to reach agreement in respect of contract types, workload and equality pay gaps.

The trade unions welcome UCEA's commitment to use its leadership and convening power to identify concrete steps which employers are able to implement locally with involvement of recognised trade unions using local consultation and/or negotiation machinery.

Contract types - purpose of negotiations

As a positive first step, UCEA has agreed to consult its members, with a positive recommendation to take action on zero hours contracts, whether fixed-term or permanent/open-ended. While the contractual arrangements offered to employees will be for individual institutions to determine, we would expect indefinite contracts with a fixed or minimal hours to be the general form of employment relationship between employers and employees in HEIs. We accept that there will be specifically defined reasons in any organisation for offering indefinite or fixed term employment arrangements without fixed or minimum hours where it is appropriate. We would expect these reasons to be discussed between HEIs and their local trade unions.

The purpose of these negotiations is to seek agreement, in pursuit of which the parties will:

- Understand the extent of the relationship between funding arrangements and contract types.
- Consider and analyse the relevant data available and where possible, collect and analyse relevant data that is unavailable through HESA.
- Develop, agree and promote principles at a UK- level which employers are able to apply through the appropriate local consultation and/or negotiating machinery on the following contract types:
 - Graduate Teaching Assistants (GTAs)
 - Fixed-term contracts
 - Post Graduate Researchers (PGRs)
 - Hourly-paid contracts
- Review progress on contract types on an annual basis and report to UCEA members with further guidance and examples of success.
- Recommend to UCEA's members to carry out an Equality Impact Assessment when undertaking work relating to contract types so that mitigating action can be taken with regard to any adverse impact/s identified.

Negotiating group membership

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- up to 10 Employer representatives (including UCEA officers and representatives from HEIs).

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Negotiations: chair and secretariat

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Timescales

The first negotiating meeting will be held as soon as possible with the aim to complete the negotiations by end of February 2024.

New JNCHES Workload negotiations: terms of reference

Background

The New JNCHES offer for the 2023-24 negotiating round includes a commitment to negotiate with the purpose of seeking to reach agreement in respect of contract types, workload and equality pay gaps.

The trade unions welcome UCEA's commitment to use its leadership and convening power to identify concrete steps which employers are able to implement locally with involvement of recognised trade unions using local consultation and/or negotiation machinery.

Workload – purpose of negotiations

The parties will jointly:

- Provide guidance and good practice examples in relation to workload management and reduction of work-related stress for all groups of staff, to enable HEIs to develop local action plans, in consultation and/or negotiation with recognised local trade union representatives, whichever is appropriate, to reduce the incidence of work-related stress/ill-health;
- Promote the HSE's Management Standards as a sector-wide minimum;
- Develop and promote principles at a UK-level which employers are able to apply using the appropriate local consultation and/or negotiating machinery on workload management;
- Include consideration of the workload consequences of organisational change and vacancy management policies in workload management principles, taking into account post-pandemic changes to patterns of work;
- Recommend to UCEA's members to carry out an Equality Impact Assessment when undertaking workload management so that mitigating action can be taken with regard to any adverse impact/s identified.

Negotiating group membership

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- up to 10 Employer representatives (including UCEA officers and representatives from HEIs).

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