

Jon Hegerty and Ruth Smith
Joint Union Side Secretaries
Joint Higher Education Sector Trade Unions

By email

11 May 2023

Dear Jon and Ruth,

2023-24 New JNCHES pay round

At UCEA's suggestion, with union support, negotiations on the 2023-24 pay award began early in order to provide support to staff through the current cost of living pressures. The pay award saw almost half of the increase delivered six months early, helping colleagues working across the sector and strongly weighted towards those on the lowest pay points.

Despite the financial pressures facing the sector, the 2023-24 pay award is comparable to settlements in the wider economy. Most HE institutions continue to face considerable financial uncertainty, with many posting deficits. Student tuition fees in England have been frozen until at least 2025, the Welsh Government Budget shows a cut to higher education funding for 2023-24, the Scottish Government has just announced a £20m reduction to the amount promised in its draft Budget and in Northern Ireland the Department for the Economy's Budget for further and higher education could be cut by almost 20% in 2023-24. Many HE institutions are also looking at substantial increases in employer contributions in the Teachers' Pension Scheme.

The pay uplift is at a level which, therefore, many employers will find financially challenging. UCEA has gone as far as it can in balancing a meaningful uplift with the viability of HEIs across the sector. In a number of HEIs, jobs will already be at risk as a result of this pay uplift. For these reasons, as we have consistently explained to you, neither UCEA nor the sector has any ability to improve upon the 2023-24 pay award.

However, through our Acas collective conciliation talks, the unions identified many other issues where useful progress could be made, particularly in relation to reform of the pay spine; the disability, ethnicity and gender pay gaps; workload, and contract types. These are all important areas in which employers share an aspiration to develop proposals and principles which will help institutions to support their staff.

UCEA has been clear that it is only able to enter into discussions with the Joint Higher Education Unions on the basis of the Acas terms of reference, endorsed by negotiators on both sides, on the understanding that no further industrial action takes place or is called during such talks.

It is disappointing, therefore, that UCU has begun a marking and assessment boycott, given that its fundamental purpose is to prevent students from progressing or graduating. Given the potential disruption to any student affected by the action, extensive mitigations have been put in place. However, UCEA will not enter into discussions with the unions while the marking and assessment boycott or any other form of industrial action continues. This is regrettable but, given the potential to harm students, it is a legitimate response from the employers' side.

I would reiterate that, if the marking and assessment boycott is called off, UCEA retains its strong desire to begin constructive dialogue with the trade unions on the basis of the Acas terms of reference.

In the absence of any joint work, our members as autonomous employers will continue to develop their own approaches to many of these issues, as will UCEA, building on the substantial good practice which already exists across the sector. For example, the commitment of employers to taking action to reduce the gender, ethnicity and disability pay gaps was highlighted by the UCEA report *Caught at the crossroads: outlining an intersectional approach to gender and ethnicity pay gaps in HE* and *Taking action: Tackling the gender pay gap*.

If your position should change, UCEA currently remains willing to commence joint work with the unions on the basis of the Acas terms of reference. However, our concern is that the moment for this is slipping away. If we do not hear back from you positively by 18 May 2023, we will consider the terms of reference to have lapsed.

In the meantime, while employers respect the right of union members to take lawful industrial action, HE institutions have a duty to protect their students education/learning and so they reject partial performance. As you will be aware, employers are legally entitled to withhold full pay for partial performance of duties, including participation in the marking and assessment boycott.

Yours sincerely,

A handwritten signature in black ink that reads "Raj Jethwa". The signature is written in a cursive style and is underlined.

Raj Jethwa
Chief Executive

cc Greg Barnett, UCU