

Gender pay gap widens in FE and HE

Statistics are funny things. In the June issue of *Equality News* we reported the HESA statistics, which showed a very slight improvement in the gender pay gap for academics in HE, from 15.6% in 2000, to 14.1% in 2005.



However, when the Office for National Statistics published its Annual Survey of Hours and Earnings [ASHE] using a slightly different formulation, the gender pay gap in HE had actually increased, from 16.4% last year to 17.2% in 2007. Looking back over the decade that a Labour government has been in power, the gap in HE has been virtually static – 17% in 1998, peaking at 18.2% in 2001, and dropping to 14.3% in 2004.

During the same period in FE, there has been a noticeable increase in the pay gap over the decade, from 8.7% in 1998, to 11.1% in 2007.

All these figures relate to full-time gross weekly average pay.

We know that in both FE and HE, if the figures included hourly-paid part-timers, who make up so much of the workforce and are predominantly women, the pay gap would be much worse.

Why is the position worsening in FE? As the profession of FE lecturer becomes increasingly 'feminised', it is a reasonable guess that the proportion of men still working in the sector who are now in management roles is increasing.

Why has the framework agreement in HE apparently had little impact on the gender pay gap? It seems that many HEIs are only now getting round to undertaking an equal pay review. Press for it to happen in your institution – use the updated JNCHES Equal Pay Review Guidance available at www.ucu.org.uk/index.cfm?articleid=1969.

In FE, the National Agreement on Equal Pay between the AoC and the recognised unions commits to carrying out an Equal Pay Review using the EOC Code of Practice, but this seems to be off the agenda in most colleges. The agreement can be found at www.ucu.org.uk/index.cfm?articleid=1968#equality.

The Gender Equality Duty makes addressing any pay gaps a necessity. The tools in both sectors to conduct equal pay reviews are there.

The ASHE figures are a wake-up call, meaning we must use every means available not only to stop the gender pay gap getting worse, but to start substantially reducing it.

UCU's equality conferences

UCU's first round of equality conferences were held in October and early November. Below is a very brief summary of each of them.

Disabled members' conference

This was the first of the four conferences, held on 12 October 2007, with 31 members present. The morning session included three speakers. Richard Excel from the TUC spoke on the investigation into 'good health' requirements for teachers, and the limiting effect for disabled staff of current 'fitness to practice' requirements. Sian Davies reported on the UCU/UNISON Disability Equality project, which she has led for a year. Paul Mackney, UCU Associate General Secretary, spoke on the work of the Commission for Disabled Staff in Lifelong Learning.

There was a session on the sort of responses disabled members needed to send into the Commission, to make the final report as useful as possible.

Workshops were on 'Organising and campaigning around disability equality', 'Improving your institutions disability equality scheme' and 'The secret history of disabled people'.

Some ideas that came forward were:

- we must campaign for resources such as time off, a centralised UCU fund for disability support, better knowledge of Access to Work
- monitor the data from colleges and universities with a view to naming and shaming institutions failing to meet the disability equality duty requirements.
- ensure that the Congress motion calling for UCU to produce an equality scheme is implemented.

The conference elected eight members to form the Disabled Members' Standing Committee.

Black members' conference

The second of the four conferences and the first UCU Black Workers' Conference took place on 19 October. The number in attendance totalled 55. It was a lively day with a number of valuable contributions from both the floor and visiting speakers. The keynote speaker was the NUT President Baljeet Ghale. In a wide-ranging speech which touched on issues affecting the public sector more generally she left us with the

message to 'Motivate, activate, get involved'. Her exhortation to become more involved was one that was well received and carried out enthusiastically throughout the course of the day.

All three motions submitted to conference were passed to be sent to the NEC. The standing committee was also duly elected.

The following will stand for two years: Bertha Ochieng, Jim Thakoordin, Adel Nasser and Dave Muritu.

Elected for one year: Dawn Livingston, Maeve Landman, Mumtaz Khan, and Carol McLeod.

The workshops covered the following; 'Challenging discrimination within the workplace', 'The legislation and how to use it' and 'Becoming active within your branch'.

Some of the ideas which came forward from the workshops included:

- the need for more support from branches/LAs alongside more regional support
- the need for disputes around race to be collectivised
- a handbook on challenging racism in the workplace, citing cases with positive outcomes, would be welcome
- all branches should be informed of support groups, networks, etc
- greater development of black activism is needed
- preventative rather than reactive measures are needed

LGBT members' conference

The first UCU LGBT Conference was held on 27 October 2007, with 28 delegates. In the morning there were four workshops on 'Challenging Homophobia', 'LGBT History', 'Out At Work', and 'Equality/Liberation'.

Peter Tatchell opened the afternoon session with a rousing and very well received speech reviewing moves towards sexual orientation equality and measures for future development.

After feedback from the workshops a motion calling for an equality conference uniting all strands was passed as were amendments to the standing orders.

Some ideas that came forward were:

- there is a need to ensure people can be included who do not feel they can come out at work
- UCU should raise the profile/visibility of LGBT people
- UCU should help to recover the history of the fight within the trade unions for LGBT rights
- UCU hierarchy should be involved in high profile LGBT events (eg Pride, etc)
- UCU could develop an easily accessible archive (paper-based and/or online) of LGBT research and a database of LGBT researchers.

The conference elected eight members to form the LGBT Members' Standing Committee.

Women members' conference

The first UCU Women's Conference on 2 November was opened by Sally Hunt and attended by 38 delegates. The conference included workshops on the gender pay gap and the gender equality duty; pensions and women in UCU; the Charter for Women; and violence against women, all of which were well received and got positive feedback from delegates.

The conference delegates identified the following areas of work that they would like to see taken forward within and by UCU:

- raising awareness of and implementing the gender equality duty
- promote campaigns that focus on the gender pay gap and barriers to women's promotion
- look into setting up women's networks
- address the inequality of women's eligibility with regard to occupational pensions
- develop a model policy and issue advice to branches on violence against women and how to deal with members affected.

Work has already begun, following a briefing day on the Gender Equality Duty earlier on in the spring, to monitor the progress of gender equality schemes being developed (or not, as the case may be) in colleges and universities and this process will be ongoing. We are keen to get feedback from members and branches as to where their institutions are at and also find out the extent of the involvement of the local branch. Please contact Charlotte Nielsen:

cnielsen@ucu.org.uk.

Update on the Commission for Disabled Staff

The Commission for Disabled Staff in Lifelong Learning aims to identify the experiences of and issues relating to the employment of disabled staff working in lifelong learning. Gathering evidence since May 2007 of both positive and negative practice, the Commission – led by NIACE – will be making recommendations for positive change in its final report due in March 2008.

The Commission wants to hear from staff working at all levels in the lifelong learning sector (further and higher education, adult and community learning and work based learning) and has recently launched an interim report which is out for consultation until 7 December 2007.

Those with an interest in disability issues in the lifelong learning sector are urged to respond to the consultation to advise whether the Commission has identified the key issues affecting disabled staff and what other issues should be explored and highlighted. To find out more and to respond to the interim report consultation, visit

www.niace.org.uk/commisionfordisabledstaff.

UCU has been heavily involved in the Commission from the start. It is now represented on the Commission by Sasha Callaghan, president-elect, Kate Heasman, equality official and Sian Davies, disability equality project worker. In October, a day was organised for union disability activists to convey their views to some of the commissioners.

We would urge all disabled members to send in their thoughts on what needs to be done. More information about the Commission and how to respond can be found at

www.ucu.org.uk/index.cfm?articleid=2944.

Quotation corner

'Our Vision

A society build on fairness and respect
People confident in all aspects of their
diversity'

Equality and Human Rights Commission
2007 (and who needs to write in sentences
anyway?)

Two new UCU equality documents

In September, responding to requests from members, the Equality Unit published *Implementing the equality duties: a toolkit for UCU branch and LA Officers*.

This is full of practical materials to help UCU to be proactive at local level in getting good implementation of the equality duties for race, disability and gender, and extending them to cover sexual orientation. It can be downloaded at www.ucu.org.uk/eqres#eqdut.

It has been used at several conferences and training events, and feedback is that members find it very useful.

This was followed in October by the publication of *Lesbian and Gay Rights at Work*, setting out all the new legal developments in relation to sexual orientation.

This can be downloaded at www.ucu.org.uk/lgbtres.

A hard copy of both of these documents is included in this posting to all branch/LA secretaries. If you want further hard copies, contact eqadmin@ucu.org.uk

The Equality and Human Rights Commission (EHRC)

The single commission came into being on 1 October. Having been known since its conception as CEHR, it surprised everyone at the last minute by emerging as EHRC. The website is www.equalityhumanrights.com. (Apparently the change of order was due to the fact that it's quicker to find on Google than it would be if Commission was the first word!).

Most of the materials you need are still on the websites of the three old commissions, accessible through the 'website archives' section, but there is a warning that the material will not be there indefinitely. The website is obviously in a great state of flux, so go to the home page and search for what you want.

It is far too early to tell how the single Commission will perform, but its vision statement (see Quotation Corner) does not inspire great confidence.

Forced retirement claims to be put on hold

The President of the Employment Tribunals in England and Wales (Scotland is likely to follow suit) has ordered that all age discrimination claims brought by employees aged 65 or over who have been forced to retire must be put on hold pending the outcome of the Heyday case. (This is the challenge brought by Age Concern, awaiting an outcome from the European Court of Justice).

A tribunal had dismissed claims of age discrimination in the case of Johns V Solent SD Ltd. At appeal, the Employment Tribunal concluded that the case should be put on hold (or 'stayed') until the outcome of the Heyday challenge is known. Following that decision, the president has ruled that all similar cases should also be stayed, including claims already lodged. The case will be appealed further.

To be clear – this does not mean that colleges and universities cannot now force people to retire at 65. It does mean that anyone who is forced to retire who takes an age discrimination claim will have a decision as to whether they were subject to age discrimination and therefore in need of compensation, delayed until the outcome in Europe is clear. Under these circumstances, branches/LAs may want to make another approach to management and suggest they should get rid of the default retirement age.

Get in touch

Please send any views, letters etc for the publication and any administrative queries to Pauline Bartlett or Tracie Coals at eqadmin@ucu.org.uk, tel 020 7520 3225.

For policy matters, contact one of the following:

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