

IN THIS ISSUE OF HE NEWS:-

- ❖ **KEEP A CLOSE EYE ON OCTOBER PAY RISE**
 - ❖ **KEELE – LAST GASP SUSPENSION OF ACTION AND GREYLISTING**
 - ❖ **ABERDEEN RESEARCHER WINS RIGHT TO PERMANENT CONTRACT**
 - ❖ **UCU GEARS UP TO FIGHT NEW WAVE OF PRIVATISATION IN TERTIARY EDUCATION**
 - ❖ **UCU CONDEMNS REFUSAL OF THE GOVERNMENT TO BACK DOWN ON WITHDRAWAL OF FUNDING FOR ELQ'S**
-

KEEP A CLOSE EYE ON OCTOBER PAY RISE

The national employers body the UCEA have issued advise to institutions pointing out the terms of the 2006 pay argument which provides for an increase of 2.5% or an amount equal to the RPI whichever is the greater. A small number of institutions have suggested that they may be unable to afford the increase if inflation, currently running at 4.3% (RPI) continues to rise. The agreement also states that if an HEI is in serious financial difficulty it can defer implementation at any increase by up to 11 months in order to minimise job losses.

Malcolm Keight Head of Higher Education said "The reported comments are probably down to schizophrenic policy games. Some institutions want to see the student fee cap lifted in next year's review of student support when the sector is not experiencing significant short term financial problems. There is always the odd badly managed institution that creates its own financial crisis but there is no widespread problem; the agreement is quite clear if the alternative really is job losses employers must open the books so we can see if a problem really exists".

General Secretary Sally Hunt told the HE conference in May "Any university that attempts to renege on this national agreement will encounter the full force of the UCU to ensure that it meets its commitments".

KEELE – LAST GASP SUSPENSION OF ACTION AND GREYLISTING

Members may be aware that greylisting was going to start on 13th June 2008, as part of the escalation of action at Keele University over the proposed redundancies. Following major

concessions by the university in 11th hour negotiations UCU formal greylisting and action short of a strike has been suspended.



There was an impasse in negotiations and UCU wrote to the Chair of the Council and Vice Chancellor again to seek to meet to discuss a way forward.

The Vice Chancellor, University Secretary and Director of HR met with the Head of Higher Education and the Regional Official on 10th June 2008.

After a frank and constructive discussion an outline agreement was proposed. This was later accepted by members at Keele.

Here's what UCU and management have agreed on:

- A process will be put in place to determine the details of academic programmes within the proposed School.
- The University will negotiate with UCU, terms for voluntary severance to offer to staff from the areas affected.
- The offer of voluntary severance will remain open until 31 January 2009.
- The University agrees not to deduct any pay in respect of the industrial action short of a strike.
- UCU accepts that these measures are intended to minimise and avoid the need to consider compulsory redundancies. UCU reserves its right to oppose any compulsory redundancies.

Should the management not conduct the negotiations around the specific issues of the voluntary severance scheme and procedures with regard to decisions about future teaching programmes, in the spirit which has been agreed by themselves and UCU, greylisting can of course be re-instated. However, the union is clear that this interim settlement should enable the university to avoid compulsory redundancies and that is why the decision to suspend both action short of a strike and the greylisting has been taken.

Greylisting is the ultimate sanction available to UCU members and is only ever used where all other industrial tactics fail to produce an acceptable outcome. Thanks to last minute negotiations between the union and Keele University, no institution has ever been greylisted in UCU's two-year history.

FROM SALLY HUNT, GENERAL SECRETARY ON KEELE

UCU general secretary, Sally Hunt, said: "We are delighted to have reached a negotiated agreement with Keele University. This agreement has been reached in no small part thanks to the quite incredible support from UCU members in both further and higher education and academics both nationally and internationally.

"Nobody involved with the University wanted to see greylisting and we are delighted that it has not come to this. We now hope that fruitful negotiations can be conducted and there will be no need to reinstate either greylisting or the action short of a strike.

"The support of the union and the wider academic community should serve as a warning to other institutions that UCU will not allow institutions to treat its staff unfairly or disregard its own standards and procedures."

UCU is in no doubt that this new agreement has been brought about because of the support it has received from Trade Unionists and Academics through out the world.

UCU wishes to extend its thanks to everyone who showed their support – thank you all for your tremendous solidarity. Thousands of members contacted the union to say they were supporting the greylisting and hundreds copied union staff into correspondence with the university informing them that they were pulling out of a variety of academic commitments at Keele.

Full details of the agreement and accompanying commentary can be found at:

<http://www.keele.ac.uk/socs/ucu/>

Updated news story available on: <http://www.ucu.org.uk/keelegreylistsuspended>

ABERDEEN RESEARCHER WINS RIGHT TO PERMANENT CONTRACT

The University and College Union (UCU) has successfully won recognition of contractual permanence for a researcher, Dr Andrew Ball, at the University of Aberdeen, who had been employed continuously on fixed term contracts for nine years.

When Dr Ball sought confirmation of his permanent status under the fixed-term regulations he was advised that as the University had no guarantee of further funding beyond the end date in his contract they believed there was an objective justification to continue to employ Dr Ball on fixed-term contracts.

The case was taken to tribunal who found that Dr Ball suffered genuine disadvantage in being kept on fixed-term contracts; uncertainty of future employment, disadvantage in terms of career progression and professional development, and potential difficulties in obtaining credit.

These disadvantages were not outweighed by the disadvantages claimed by the university in employing Dr Ball on a permanent basis. Consequently, the tribunal found that the university could not establish objective justification for continuing Dr Ball's employment on a fixed term basis.

The tribunal rejected the university's case that short term funding could automatically provide a justification for employment on a fixed term, and found that the university had failed to carry out any assessment as to whether Dr Ball could have been offered a permanent contract in 2002 when his third contract was offered. The tribunal therefore gave a declaration that Dr Ball could consider his post as permanent.

Although this case is not binding and each case would have to be considered on its own merits, the circumstances Dr Ball found himself in will be familiar to thousands of researchers in UK Higher Education Institutions. We applaud Dr Ball's courage and determination in pressing for this decision against the university.

UCU GEARS UP TO FIGHT NEW WAVE OF PRIVATISATION IN TERTIARY EDUCATION:

With the recent updates of new public-private partnerships (PPP) between INTO and Manchester University and Glasgow Caledonian and now also reports that other companies are looking to set up similar partnerships elsewhere, it is becoming clear that the attempts to carve up the market in international student recruitment, teaching and accommodation are accelerating.

UCU is completely opposed to these PPP projects and sees them as significant steps toward opening up the privatisation of core educational provision and ultimately opening the door for a major expansion of private colleges and universities.

Campaigns against INTO's ambitions continues as UCU is committed to campaigning against these PPPs at every level. But effective campaigning relies on early information. Where we have been most effective it has been because the local branch has received early information

about developments and has campaigned to be involved in discussions as well as campaigning against the proposals. If you know of ANY such discussions between any private companies and your university or college, please notify the Campaigns Team at campaigns@ucu.org.uk

Further reading:

UCU's new campaign briefing on INTO, "INTO the unknown" can be read from: <http://www.ucu.org.uk/index.cfm?articleid=2296>

The union's report on the growth of the private sector in tertiary education, see: http://www.ucu.org.uk/media/pdf/a/h/challengingmarket_report.pdf

And to read more about UCU's campaign against privatisation, visit the campaign page here: <http://www.ucu.org.uk/index.cfm?articleid=2296>

UCU condemns refusal of the government to back down on withdrawal of funding for (ELQs),

In a '**we shall not be moved**' response to the highly critical parliamentary committee report on cuts in ELQ funding, the government continued to defend the transfer of £100m to first-time students. Describing the response as arrogant and contradictory UCU once more pointed to the consequences for institutions and lifelong learning departments like those in Lancaster and Sussex and the knock-on effects for first-time students too. The issue has been pressed yet again with the minister.

We need to go on spelling out the actual impact with really hard examples so please keep Rob Copeland informed so we can provide up-to-date information (rcopeland@ucu.org.uk). If you are able to raise the impact with local MPs please do, and ask them to write again to the Secretary of State, John Denham.

You can read the government's response at this link <http://www.publications.parliament.uk/pa/cm/cmdius.htm> and UCU's comment at www.ucu.org.uk .

UCU reiterated the points made in the very good letter published in the Independent recently about the appalling lack of consultation. The authors, including a vice chancellor and head of a continuing education dept, concluded:

'We need a more consultative, democratic and inclusive way of developing and enacting policy for all the public services. The one change we need above all is for government to consult the professionals and learners before it announces policies which will damage the objectives that we all share.'
