

# **UCEA/HIGHER EDUCATION UNIONS**

## **PAY AND NEW INDUSTRIAL RELATIONS MACHINERY:** **FINAL AGREEMENT: 25 JUNE 2001**

Following a series of talks between the UCEA and all the Higher Education trade unions, and unions' consultations with their memberships, agreement has been reached on resolving the outstanding dispute concerning pay and conditions and on the establishment of new industrial relations machinery for the sector.

This document sets out what has been agreed on new negotiating structures (section 1), and on pay for the period to 31 July 2002 (section 2), for all groups of staff within the sector.

### **SECTION 1**

#### **New Negotiating Structures**

The UCEA and HE unions have agreed to replace the present ten negotiating bodies with a single new national Joint Negotiating Committee for Higher Education Staff (JNCHES).

It is agreed that:

(i) the new Joint Negotiating Committee for employers and staff throughout UK higher education will begin operating on 1 August 2001, and that the existing machinery will be formally wound up by that date;

(ii) the JNCHES will have up to 41 members: there will be an independent chair, up to 20 members to represent the employers, and up to 20 members to represent the staff;

(iii) the procedures to be followed for the appointment of the independent chair will be as set out in Annex 1;

(iv) the Secretariat functions for the JNCHES will be handled as set out in Annex 2; and

(v) the UCEA and HE unions will explore jointly how the costs of the JNCHES should be met, including through a joint approach to Government.

#### **Transitional Arrangements**

(i) There will be two major sub-committees of the JNCHES responsible for the negotiation of pay and those other national matters referred to in (iii) below: the Academic Staff Sub-Committee; and the Professional, Technical, Administrative and Ancillary Staff Sub-Committee;

(ii) In addition there will be a Scottish Sub-Committee to advise the JNC (see Annex 3); it is also proposed to establish a Clinical Academic Staff Salaries Committee with responsibility for the translation to clinical academic salaries of awards made by the Doctors' and Dentists' Pay Review Body. Consultations on this matter will be completed before the end of July 2001 at which point it is envisaged that a supplementary annex will be concluded on this matter and that the BMA and BDA will also become signatories to this agreement;

(iii) As a starting point for building change, existing agreements - including local agreements and the mechanisms by which they are reached - will be preserved. Existing national agreements will transfer to the JNCHES and its sub-committees. An agreed schedule of these national agreements will be assembled by UCEA and the HE unions before 31 July 2001. Any subsequent development and modernisation and improvement will come about through negotiation in the appropriate bargaining mechanism. The Academic Staff Sub-Committee will assume responsibility for the current national agreements relating to the JNC for Academic and Academic-Related Staff; and the Lecturers' Common Interest Group; the former "Conference" sector academic staff in Scotland; and the Clinical Academic Staff Salaries Committee (subject to reference to the proposed new CASSC). The Professional, Technical, Administrative and Ancillary Staff Sub-Committee will assume responsibility for all other current national agreements;

iv) Joint working parties will be established with the aim of reporting to the JNCHES by the end of March 2002 on the following matters:

a) a new single pay spine will be established for all (except clinical academic) staff in the sector by March 2002, with the aim of full implementation by August 2002. A joint working party will be established immediately to develop proposals on the design of new pay structures in order to ensure a consistent approach to the treatment of all staff except clinical academics;

b) a joint working party will also begin work immediately on the arrangements needed to ensure that the sector's pay system delivers equal pay for work of equal value; the working party will develop advice and guidance for the sector on equal pay audits (see Annex 4); and

c) a joint working party will be established on modernisation issues including other issues arising from the report of the Independent Review of Higher Education Pay and Conditions (the Bett Report). One element of the work programme for this group will be the establishment of a sub-group on the national contract for lecturing staff in post-1992 universities and colleges of higher education, the details of which are described in Annex 5;

v) The terms of reference and membership of these joint working parties is to be agreed between the UCEA and the HE unions before 1 August 2001.

All of the arrangements set out above will be reviewed by August 2002, taking account of the outcomes of the work of each of the joint working parties referred to above.



## **SECTION 2**

### **Pay Settlement**

In order to harmonise the settlement date for all staff (except clinical academics) at 1 August from 2002 onwards, and in preparation for the operation of a single pay spine from that date, agreement has been reached on:

- a 16-month settlement for those (except clinical academics) with a current settlement date of 1 April 2001;
- a 13-month settlement for those with a current settlement date of 1 July 2001; and
- an 11-month settlement for those with a current settlement date of 1 September 2001.

The settlements address issues of low pay for all categories of staff; with significant minimum cash increases for all staff currently on scale points below £11,000, payable on the current settlement dates on a non-phased basis.

The salary scales agreed for each of the present groups of HE staff, for the period up to 31 July 2002, are set out in Annex 6.

### **Notes on the Settlement**

The agreed increases in pay apply to those academic staff in Scottish universities and colleges paid on FE64 contracts for the year 2001/02 without prejudice to future reviews.

UCEA has made clear that in recognition of the significant financial difficulties facing some institutions, there may be a need for some institutions to re-phase the implementation of the pay settlement. The trade union side made clear that they expect this agreement to be applied in all institutions.

Pre-1992 university institutions in London will consider the issue of London Weighting for their staff. There will also be joint discussions this summer with the London HE Consortium (covering both pre- and post-1992 institutions) about future approaches to London premia.

UCEA will recommend to institutions that due regard is given to the application of the pay award to staff retiring during the settlement period, with a view to ensuring that such staff are not disadvantaged by the phased nature of the settlement for most staff.

## **CONCLUSION**

In the light of the agreements set out above and in the attached annexes:

- all the HE unions hereby declare that their outstanding disputes with the UCEA, and its subscribing employers, on pay and conditions are resolved;
- the UCEA will promulgate forthwith the salary scales in Annex 6 and recommend universities and colleges to include the agreed increases in salary payments as soon as practicable;
- the UCEA and HE unions will arrange, through correspondence or meetings as appropriate, for each of the present negotiating bodies to be formally wound up by 31 July 2001.

**SIGNATURES**

The contents of this document and its annexes are hereby agreed, on 25 June 2001, for and on behalf of:

**For the trade unions:**

Association of University Teachers .....

Educational Institute of Scotland .....

GMB .....

Manufacturing, Science and Finance Union .....

NATFHE .....

Transport and General Workers Union .....

Unison .....

**For the employers:**

Universities and Colleges Employers Association .....

**APPOINTMENT OF CHAIR OF JNCHES**

1. It has been agreed that the JNCHES should appoint an independent Chair.
2. To take this forward, it is agreed that the parties advertise for this position in relevant press whilst also liaising with bodies such as the OME and the Office of the Commissioner for Public Appointments to identify particular individuals who might be invited to apply.
3. The parties will agree an appropriate payment rate for this position (e.g. ACAS daily rates).
4. A panel of three employers and three trade union representatives plus one independent assessor would draft a job description and person specification for the post; consider applications and set up an appropriate interview process. This panel will make a recommendation to the JNCHES for endorsement.
5. The Chair will take up the position on an agreed date for a term of 3 years.
6. The person appointed will chair the JNCHES and the two main sub-committees.

## **JOINT SECRETARIES, DATA COLLECTION AND RESEARCH FOR NEW BARGAINING MACHINERY FOR HIGHER EDUCATION**

### **1. JOINT SECRETARIES AND SECRETARIAT SERVICES**

Effective bargaining procedures are normally best served by the parties to them having their own side secretaries who also operate together as Joint Secretaries to the bargaining machinery. This normal practice has been agreed for the JNCHES.

The joint secretariat will be responsible for the operation of the JNCHES and its sub-committees and any working parties it may, from time to time, appoint. It will facilitate the collection and analysis of data on higher education staff and their pay, comparative pay data and information on recruitment and retention.

The joint secretary for the employers' side will be the Chief Executive of UCEA. It will be for the trade unions to decide how they wish to handle the trade union side joint secretaryship.

The independent Chair will need to have secretarial support. This is likely to include the arrangements of meetings, the preparation of agendas and appropriate papers. In practice it is envisaged that the majority of the papers will be provided by the parties to the JNCHES itself. The secretarial support for the Chair will be provided by UCEA in consultation with the trade union secretariat.

### **2. FUNCTIONS OF THE SECRETARIAT**

#### **(a) Obtaining data on higher education staff and their pay**

There is a need to remedy the serious deficiencies on data on higher education staff and their pay. This was recommendation No.1 of the Bett report which states:

“R1 It is essential that comprehensive data on the numbers and pay of academic and non-academic staff are collected on a regular and systematic basis.”

Since the publication of the report there has been increased concern within the sector about equality of opportunity, with it now being a requirement for each institution to satisfy HEFCE that it has appropriate equal opportunity policies and the means of implementing them.

It is recognised there is a need to ensure that UCEA and HE unions have access to reliable and accurate employment data, including information on recruitment and retention issues in the sector.

It is therefore agreed that UCEA and the trade unions will jointly agree such sources which may provide such information.

**(b) Obtaining comparative pay data**

There will be a need to provide comparative pay data. It is envisaged that this will be provided by the Office of Manpower Economics which supplies a service to the pay review bodies and other pay determination arrangements.

**(c) Obtaining recruitment and retention information**

There will be a need to provide data on the recruitment and retention issues affecting HE. It is envisaged that this might also be provided by the Office of Manpower Economics.

**REMIT FOR THE SCOTTISH SUB-COMMITTEE**

1. It is agreed that negotiations in the JNCHES will be on a UK-wide basis including discussion of the Scottish dimension of specific issues which are before the JNCHES.
2. The Scottish Sub-Committee will meet annually at a time to be agreed by both sides. Further meetings will take place on an *ad hoc* basis as determined by both sides to consider and discuss the purely Scottish dimension of issues before the JNCHES or its principal sub-committees for academic staff, and for professional, technical, administrative and ancillary staff.
3. Unless otherwise agreed by both sides at the JNCHES, the Scottish Sub-Committee will not engage in separate negotiations; its remit will be to advise the JNCHES and its principal sub-committees on any particular Scottish dimension to issues being, or likely to be, negotiated at national level.
4. Other than set out above, the scope of the remit of the Scottish Sub-Committee will be similar to that of the JNCHES, save that the Scottish Sub-Committee will refer matters for final determination by the appropriate principal sub-committees of the JNCHES or by the Joint Negotiating Committee itself.
5. The number and composition of the trade union side of the Scottish Sub-Committee will be determined by 1 August. There will be an equal number of representatives from the management side; these will normally be drawn from the UCEA Scottish Committee.
6. Recommendations of the Scottish Sub-Committee will be made to the JNCHES only after the agreement of both sides. In the case of a failure to agree on issues each side of the Sub-Committee will refer its views to the JNCHES and/or its principal sub-committees.
7. The Chair of the Scottish Sub-Committee will rotate annually between the employers and trades union sides.
8. The Scottish Sub-Committee will have no established lobbying role. However, both sides recognise that from time to time it may be desirable to undertake joint lobbying on specific points. This may take place under the JNCHES structure or other agreed and appropriate HR fora.

## **EQUAL PAY AND ROLE ANALYSIS**

All parties are committed to establishing a national enabling framework designed to secure a systematic and objective basis for job/role grading applying to all HE staff. The framework will aim to ensure equal pay for work of equal value and the elimination of any unfair inequalities in pay.

As part of this agreement the UCEA and the trade unions have agreed to set up a joint working party to consider arrangements within the sector to ensure equal pay for work of equal value. Its remit will include the production of:

- a national enabling framework for role analysis; and
- national guidelines to institutions.

The working party will involve HERA and other expert organisations to develop proposals.

It is noted that in parallel with this review, ECC Ltd (the owner of HERA) has offered to set up a joint review process to evaluate HERA's operation.

**THE NATIONAL CONTRACT FOR ACADEMIC STAFF IN POST-92  
INSTITUTIONS IN ENGLAND, WALES AND NORTHERN IRELAND**

Recognising that the LCIG claim contains outstanding requests for improvements in the National Contract which have not yet been resolved and that employers seek modernisation of the contract, it is agreed that a sub-group be set up to look at the National Contract on the explicit understanding that:

- (a) as agreed, no change will occur save by agreement;
- (b) such agreement should be freely arrived at in an amicable, constructive, context by mutual accord;
- (c) local agreements and mechanisms for local negotiations will be preserved in accordance with the Transitional Arrangements; and
- (d) the membership of this sub-group should be confined to representatives of the staff and employers concerned.

**HIGHER EDUCATION STAFF**

**SALARY SCALES**

**2001-2002**