

Jon Hegerty, UCU & Ruth Smith, Unison

Sent by email

21 December 2022

Dear Jon and Ruth,

The change of position by the Union Side with regard to the jointly agreed statement outlining the process for beginning the 2023-24 New JNCHES pay round has been saddening, but we remain committed to constructive discussions for the good of our sector. There is no doubt in our minds that the Joint Union Side and all who attended the meeting on 30 November, confirmed by subsequent emails between UCEA officers and the trade union joint secretaries, understood and supported the principle that any agreed process must include a statement about de-escalation by all parties. However, UCEA representatives have now consulted the UCEA Board following the adjourned meeting to consider the Union Side's suggestion for an amendment to the jointly agreed statement at the New JNCHES meeting on 13 December.

I am writing to set out the views of UCEA in relation to the Union Side's request to amend the jointly agreed statement. Further, in light of the need to ensure there is no further confusion between parties, I am also writing to ensure that the process for bringing forward the 2023-24 pay negotiations, as agreed on 30 November and which all parties must agree, is documented in a written procedure. The jointly agreed statement and procedure are included in the process for bringing forward the 2023-24 pay negotiations provided at Appendix 1. For reference, the jointly agreed statement that was sent to Joint Trade Union secretaries on 2 December is provided at Appendix 2.

However, before doing so, I want to reaffirm that UCEA's intention, in proposing an early start to the 2023-24 New JNCHES pay round is to find a way, within the stretched affordability of the sector, to support staff with the cost of living.

Proposed amendment to the jointly agreed statement which includes the process for bringing forward the 2023-24 pay negotiations.

In response to the Union Side proposal to remove the second paragraph of the jointly agreed statement, we wish to propose that the second paragraph of the jointly agreed statement should be replaced with the following:

Both parties recognise that these talks need to take place in an industrial relations environment that is as calm as possible. Some actions by both parties have already been announced. It is

agreed that the impact of these current announcements on students and staff should be kept to a reasonable minimum. It is also agreed that no further announcements of action related to either the 2022-23 or 2023-24 pay rounds will be made by either party between 1 January 2023 until the last of the three negotiating meetings and any subsequent dispute resolution has been concluded, within the process set out below.

In addition, to avoid any confusion, as explained above, we have also outlined the procedure for conducting the early pay negotiation for 2023-24 – see Appendix 1.

I hope that the Union Side will agree to this as a reasonable suggestion which will allow us to commence the 2023-24 New JNCHES pay round. If we can do so, this offers a real possibility for providing timely support to staff to help them with the cost of living.

We are due to reconvene our adjourned meeting on 9 January 2023. We are also in the process of identifying two further dates in January for negotiating meetings. I would be grateful if you could share this proposal with the Union Side and confirm to UCEA in writing that all parties on the Joint Union Side agree with the process for bringing forward the 2023-24 pay negotiations, including with the amendment to the jointly agreed statement so that substantive discussions can take place following the procedure set out in Appendix 1.

Yours sincerely,

A handwritten signature in black ink that reads "Raj Jethwa". The signature is written in a cursive style with a horizontal line underneath the name.

Raj Jethwa

Chief Executive

Appendix 1 -

Process for bringing forward the New JNCHEs negotiations for the 2023-24 pay round.

The parties to New JNCHEs are amending the procedure for the 2023-24 pay round, to begin and conclude the pay negotiations on an earlier and accelerated timescale, in order to seek to address immediate cost of living difficulties for staff in the HE sector.

Whilst employers view the 2022-23 round as closed, employers also recognise that the unions do not regard the 2022-23 round as concluded and that the unions would want any settlement of 2023-24 to take account of this. The employers agreed to consider this as part of the 2023-24 pay round.

Both parties recognise that these talks need to take place in an industrial relations environment that is as calm as possible. Some actions by both parties have already been announced. It is agreed that the impact of these current announcements on students and staff should be kept to a reasonable minimum. It is also agreed that no further announcements of action related to either the 2022-23 or 2023-24 pay rounds will be made by either party between 1 January 2023 until the last of the three negotiating meetings and any subsequent dispute resolution has been concluded, within the process set out below.

Procedure

The five trade unions and UCEA will hold three negotiating meetings, between December 2022 and January 2023, on the pay award for 2023-24.

Specifically, there will be up to three negotiating meetings on pay aiming to conclude by the end of January.

If these meetings do not result in an agreement between the parties, then either party can invoke the New JNCHEs Dispute Resolution Procedure outlined in Appendix A of the New JNCHEs Agreement and the process and timescales set out in that procedure will apply.

Following the conclusion of the negotiating meetings, and Dispute Resolution Procedure (if invoked), relating to the pay award for 2023-24, the parties will begin negotiations over the additional non-pay items in the unions' joint claim for 2023-24. The dates for these negotiations will commence as soon as reasonably practicable following the negotiations (and dispute resolution procedure, if invoked) over pay, and no later than the usual March to May timescale set out in the New JNCHEs Agreement. If these meetings on additional non-pay items do not result in an agreement between the parties on those matters, then either party can, in relation to those matters, invoke the New JNCHEs Dispute Resolution Procedure outlined in Appendix A of the New JNCHEs Agreement and the process and timescales set out in the procedure will apply.

Appendix 2 -

Process for the New JNCHES pay negotiating round for 2023-24

The parties agree to amend the Agreement as follows:

To follow the New JNCHES Agreement in terms of the number of meetings, and the purpose of the negotiations, but over an accelerated and early timescale. Specifically, there would be up to three negotiating meetings in December and January. If these meetings do not reach an agreement, the parties will follow the New JNCHES Agreement Dispute Resolution process exhaustively, outlined in the Appendix to the New JNCHES Agreement, to conclude the pay round by the end of January 2023.

Both sides agree to de-escalate the dispute during the above described intense period of negotiations, including the impact of and employer responses to ASOS.

Whilst employers view the 2022-23 round as closed, employers also recognise that the unions do not regard the 2022-23 round as concluded and would want any settlement of 2023-24 to take account of this. The employers agreed to consider this as part of the 2023- 24 pay round.

In these meetings all parties will strive to achieve a conclusion to the 23-24 pay round, and commit to a number of meetings for further negotiation, in relation to the other aspects of the unions' claim.