



Higher Education Service Group Conference

Final Agenda

The Brighton Centre
Thursday 27 February 2014

(Motions contained in this agenda will be debated on
27 February 2014)

**2014 Higher Education Service Group Conference
UNISON FINAL AGENDA**

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Order of Business

- 09:30 – 12.30 Opening Remarks by the Chair of Conference
- Standing Orders Committee Report Number 1
- Higher Education Service Group Executive
 Annual Report 2014
- Motions and Amendments
-
- 12:30 – 14.00 Lunch
-
- 13:15 - 14:00 LGBT caucus
-
- 13:15 - 14:00 Zero hours fringe
-
- 14:00 – 14:30 Presentation from Keith Ewing from Kings
 College on Trade Union victimisation and
 blacklisting in the construction industry
-
- 14:30 – 17:00 Motions and Amendments

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Motions and amendments

These are the motions and amendments approved for the 2014 Higher Education Service Group Conference. Amendments ruled out of order are also included.

1.	*	Opposing Austerity in Education - Manchester Metro University
1.1	*	Opposing Austerity in Education – University of Brighton
2.	*	Opposing Austerity in Education - North West Region
2.1	*	Opposing Austerity in Education – University of Brighton
3.		Thinning of the work force - Liverpool John Moores Univ
4.		Privatisation and Shared Services in Higher Education - <i>Higher Education Service Group Executive</i>
4.1		Privatisation and Shared Services in Higher Education - <i>Higher Education Service Group Executive</i>
5.		Equality Impact Assessments - National Disabled Members Committee
5.1		Equality Impact Assessments – Eastern Region
6.		Impact of restructuring and outsourcing on young workers - National Young Members' Forum
6.1		Impact of restructuring and outsourcing on young workers – University of Brighton
6.2		Impact of restructuring and outsourcing on young workers - <i>Higher Education Service Group Executive</i>
7.		Disability Leave and Attendance Policies - National Disabled Members Committee
7.1		Disability Leave and Attendance Policies - <i>Higher Education Service Group Executive</i>
8.		Increasing the number of Black staff within Universities working in Support, Academic and Management Roles - National Women's Committee
9.		Low proportion of Black people in Senior Management Positions in Higher Education - National Black Members' Committee
9.1		Low proportion of Black people in Senior Management Positions in Higher Education - <i>Higher Education Service Group Executive</i>
10.		A Time to Change in Higher Education - South West Region
11.		Equality for higher education workers when universities go international - National Lesbian, Gay, Bisexual and Transgender Committee
12.		Equality for trans workers in our higher education institutions - National Lesbian, Gay, Bisexual and Transgender Committee

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13.	In Opposition to Zero Hours Contracts - North West Region
14.	Zero-Hour Contracts & Agency Workers - Manchester Metro University
15.	Zero hours contracts - Higher Education Service Group Executive
16.	Protection of OUR Terms & Conditions - Liverpool John Moores Univ
17.	Higher Education Role Analysis (HERA) and Grade Drift - Higher Education Service Group Executive
18.	Excessive Workloads - University of Westminster
18.1	Excessive Workloads – University of Brighton
19.	Working in HE – The Hidden Costs - Eastern Region
20.	University Finance – we must take an interest and be vigilant - Branch 3391 - University of Westminster
21.	Freedom of Information Requests - University Of Herts Unison
21.1	Freedom of Information Requests – Eastern Region
22.	Poverty Pay Doesn't Pay - the Living Wage in Higher Education Higher Education Service Group Executive
23.	Higher Education (HE) PAY 2014 and the future - Liverpool John Moores Univ
24.	Pay Claim 2014 onwards - Manchester Metro University
25.	JNCHES Pay 2014/15 - Higher Education Service Group Executive
25.1	JNCHES Pay 2014/15 – Staffordshire University Branch
26.	Motion – Pay Rise Negotiations - Loughborough University
27.	Pay Claim 2014-2016 - Anglia Ruskin University

* The following have been identified as possible composites:

Composite A: Motion 1 Amendment 1.1, 2 Amendment 2.1

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Brighton Centre

27 Feb 2014

Campaigning

1. Opposing Austerity in Education

The 60,000 strong protest outside the Tory Party Conference in Manchester in September 2013 shows that there is a real mood amongst trade union members and the general public to oppose the Coalition Government's Austerity agenda. This March rightly concentrated on the attacks on the NHS but also raised wider issues around the Government's attacks on our public services.

One of the key areas of privatisation since 2010 has been in Higher Education – the rise in fees and the creation of a company-customer relationship in place of the real University-student relationship has corroded the public ethos of Universities.

This Conference call on the HESGE to:

- i) Encourage Branches to take part in local campaigns against Austerity (such as the UNISON supported People's Assemblies) and to raise the issues around attacks on education within wider society.
- ii) Encourage Branches to take up issues around Austerity within their workplaces to help build the general movement against cuts and austerities.

Manchester Metro University

1.1

After ii add: iii) adopt a clear position of opposition to all cuts, irrespective of which grouping or political party representatives are carrying them out.

iv) combine campaigning against austerity with a campaign to promote the idea of democratically run, free education system that is funded from general taxation.

University Of Brighton

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- i) Encourage Branches to take part in local campaigns against Austerity (such as the UNISON supported People's Assemblies) and to raise the issues around attacks on education within wider society.
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North West Region

2.1

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iv) Combine campaigning against austerity with a campaign to promote the idea of a democratically run, free education system that is funded from general taxation.

University Of Brighton

3. Thinning of the work force

This conference condemns the appalling practice over the past years of the employers to fail to demonstrate a true commitment to the hard working long serving staff of their institutions by throwing them aside and turning to external sources for staff to run services.

Therefore conference calls upon the Higher Education Service Group Executive to work with the National Executive Committee to create a report and tools for branches to use along with support from Regional Officers that can be used to fight off the threat of outsourcing.

This can be done by requesting information from the Higher Education Institutions that have been through the outsourcing process and have reverted back to in house services and staff such as Security, Cleaners, General Assistants & Catering.

- 1) Information to request
 - a) Cost per service before outsourcing;
 - b) Cost per service after outsourcing;
 - c) Quality of Service before outsourcing;
 - d) Quality of Service after outsourcing;
 - e) Savings or Overspending.

Liverpool John Moores University

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4. Privatisation and Shared Services in Higher Education

Conference notes the continued promotion of shared services and privatisation of higher education by the Coalition Government. Evidence from the outsourcing and marketisation of public services suggests that in many cases additional costs are incurred and, increasingly, public sector organisations are looking to in-source services in order to achieve greater efficiency and better value for money for the taxpayer.

Changes in the higher education sector have been rapid since 2010. Until recently the key driver for government policy in the UK was to encourage the expansion of Higher Education to increase participation with an express aim of creating a more educated workforce. However a combination of funding changes and policy directives are forcing universities to reassess the way they are managed and promoted to ensure maximum efficiency, sales and 'profits'. This is despite the current financial health of the sector (a UUK survey conducted in 2012 identified planned investment by universities totalling £8 billion) and high profile failures of shared services and privatisation initiatives in the public sector.

This will be further accelerated following the recent changes to VAT regulations which provide Higher Education Institutions (HEIs) and further education colleges an exemption from VAT when setting up shared services arrangements or cost sharing groups (CSG). There is now a greater incentive to share services such as payroll and procurement, because a "new business" operation would no longer have to charge VAT back to the partner institution. David Willetts the Minister for Universities and Science has publicly stated that he perceives the higher education sector spends much too much on back-office functions and was surprised at the small number of shared services arrangements in the sector. Steve Butcher, head of procurement and shared services at the Higher Education Funding Council for England at a conference in December 2012 stated that students paying higher tuition fees "will want to see an efficient and effective sector, and the sector has to rise to that challenge."

This conference calls on the SGE to:

- 1) Continue to support branches to campaign for the retention of services being delivered in-house,
- 2) Continue to provide information and technical advice to branches in regions to promote challenges to proposals to privatise or develop shared services
- 3) To work with the other campus unions including the NUS to campaign against privatisation and shared services

Higher Education Service Group Executive

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4.1

After 3 add: 4) produce written material that includes case studies of both successful and unsuccessful campaigns, so that we can all learn the best tactics to adopt in future battles.

5) Campaign for the immediate reversal of the VAT changes in the first term of the next government.

University Of Brighton

5. Equality Impact Assessments

Conference is concerned that Universities are failing to carry out Equality Impact Assessments (EIA). Although no longer a statutory duty, as part of good employer/employee relations, it is vital that this process is undertaken to expose any detrimental effect HE cuts and redundancies are having on disabled employees. However, the process needs to be meaningful and not just a tick box exercise.

Conference welcomes advice from the Higher Education Equality Challenge Unit, which makes clear that equality impact assessment is particularly important in the current economic climate.

Higher Education institutions need to take any disadvantage or discrimination seriously and remove any policies or criteria in cuts and redundancies that put disabled workers at a disadvantage.

Conference calls on the Higher Education Service Group executive to urge HE branches to seek to negotiate robust and effective equality impact assessment of all restructuring and redundancy proposals.

National Disabled Members Committee

5.1

In the first paragraph, insert the words "and other employees who are also covered by protected characteristics" after "disabled employees".

In the third paragraph, insert the words "and other protected characteristic" between the words "disabled" and "workers"

Eastern Region

6. Impact of restructuring and outsourcing on young workers

This conference believes that recent restructurings (such as at Middlesex University which has seen the creation of centralised student services, combining the services from 4 campuses into one) and outsourcing exercises, mean that many 'entry-level' jobs are severely reduced or disappear altogether. It is also often the case that these jobs are the first to be identified for redundancy.

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This conference is concerned that the reduction of these 'entry-level' jobs has a disproportionate impact on young people in those jobs, and on young people seeking work in Higher Education.

This conference is also concerned that inadequate training in transferable skills means that workers in such jobs have reduced chances of success in redeployment exercises.

This conference calls on the Service Group Executive to:

- (i) promote the importance and use of Equality Impact Assessments to branches in organising to defend jobs in restructuring and outsourcing exercises;
- (ii) raise with employers the importance of retaining 'entry-level' jobs for young workers.

National Young Members' Forum

6.1

After ii) add: iii) campaign for universities to provide adequate training in transferable skills and for redeployment policies to be more than a token exercise, but a process that aims to retain existing staff and experience.

University Of Brighton

6.2

To add (iv) To encourage and promote the importance of apprenticeship schemes by referencing the good practice guidance and model agreements produced by UNISON

Higher Education Service Group Executive

7. Disability Leave and Attendance Policies

Conference is concerned that some Higher Education (HE) institutions are still failing to implement Disability leave Policies, despite this being offered as an example of a reasonable adjustment in the Code of Practice relating to the employment provisions of the Equality Act 2010.

Redundancies and cuts in the Higher Education sector are at an all time high, with no end in sight. Disabled HE workers are constantly under pressure with the fear of losing their jobs. We know that in these harsh times HE institutions considering cuts and redundancies will look to sickness levels, which often means that disabled HE workers are targeted and sent off to occupational health. This then usually results in redundancy or even more worryingly dismissal.

The purpose of a disability leave policy is to create a level playing field with non disabled colleagues; absence due to someone's disability should not be used when monitoring sickness absence. However we know that managers in some HE institutions continue to do so.

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Conference views this as unfair discrimination against disabled HE workers.

This Conference calls on the Higher Education Service Group Executive to work with the National Disabled Members Committee to:

- 1) Collect examples of negotiated disability related good practice from HE branches, especially disability leave agreements;
- 2) Issue UNISON's model agreement on disability leave to HE branches, reminding them of the employers' obligations to discount disability related absence as criteria in the redundancy selection process;

National Disabled Members Committee

7.1

Delete bullet point 2) “;” and add “,sickness absence procedures, promotion and capability procedures.”

Higher Education Service Group Executive

8. Increasing the number of Black staff within Universities working in Support, Academic and Management Roles

Conference notes with concern that lack of Black workers within Higher Education. Research carried out by the Equality Challenge Unit (ECU) noted that only 8.6% of academic staff and 6.9% of support staff self-defined as Black. There are only 2 Black Vice Chancellors in the UK despite there being 168 UK Higher Education Institutions (HEIs). These worryingly low statistics neither reflect the general population nor the Universities' student populations.

Conference applauds the Scottish Trades Union Congress (STUC's) “One Workplace Equal Rights” equality mentoring programme, which aims to remove barriers to progression for Black and Minority Ethnic (BME) workers in the further and higher education sector in Scotland. The aim of the cross institutional initiative is to develop and deliver a mentoring programme for BME staff within the further and higher education sector, and to engage with employers in the education sector to tackle systemic barriers for BME staff. The project will be managed by the STUC's One Workplace Equal Rights project that supports Scottish trade unions to promote equality and tackle racism in the workplace and is funded by the Big Lottery Fund. Trade unions will work in partnership with employers and BME staff networks to take the project forward.

While Conference notes the positive contribution this mentoring scheme could potentially make to Black workers in Universities it must be remembered that mentoring will not fundamentally change the situation unless institutional barriers are also dismantled. Conference notes that the recent Equality Challenge Unit report on BME staffs' experience in higher education in England found that “The research confirms a picture of race discrimination, inequality and underrepresentation, of which BME staff working in higher education will be only too well aware”, and raised concerns about the lack of support for Black staff in many institutions.

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Conference therefore calls upon the service group executive to:

- 1) explore the possibility of working with appropriate partner organisations and institutions to develop similar mentoring schemes across the UK.
- 2) work with the National Black Members Committee to develop resources to help Branches understand the nuanced nature of modern workplace racism and enable them to work with employers to increase the number of Black staff within HEIs.

National Women's Committee

9. Low proportion of Black people in Senior Management Positions in Higher Education

Conference notes that in the UK there are 168 Higher Education Institutions (HEIs). Research conducted by the Equality Challenge Unit (ECU) reports that Black people represents 8.6 per cent of higher education academic staff and 6.9 per cent of professional support staff.

Conference is aware that in the UK the Higher Education context has changed in the last ten years. For example, in 2003 the focuses Higher Education were on the following:

- a) growth
- b) new providers were no threat; and
- c) Universities had positive images.

Whereas now:

- i) it is about survival
- ii) new providers are a threat (Further education (FE), Private, overseas)
- iii) funding has severely reduced in the last three years
- iv) the government is more critical.

Conference notes that with the pace of change in HEIs, Vice-Chancellors seek the need for change through tough leadership challenges at every level, with many opportunities to be delivered by the Leadership Foundation in Higher Education.

Examples are in the following:

- 1) The business model
- 2) Performance
- 3) Competition and collaboration

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- 4) Governance
- 5) Consumer Demand
- 6) Globalisation
- 7) Equality & Diversity, and
- 8) Suitability.

Conference is therefore extremely alarmed to note that although there are 168 HEIs there are only two Black Vice-Chancellors in the UK, Professor Gerald Pillary, Vice-Chancellor at Liverpool Hope University, appointed in 2008 and the recently appointed Mr Rama Thirunamachandran, the next Vice-Chancellor of Canterbury Christ Church University, who will take up his post on 1 October 2013.

Conferences notes that the proportion of UK national Black staff is lower in managerial and professional jobs compared with technical and administrative jobs (5.6 per cent, compared with 8.1 and 7.7 per cent, respectively). This is despite the fact that some Russell Group universities with the highest participation rates for Black students (are London based institutions, such as University College London (UCL), the London School of Economics (LSE), Kings College London (KCL) and Imperial College. Among the UK universities, 11 have Black student populations of 50 per cent or greater, and these universities are located in the Greater London area.

Research conducted by the Equality Challenge Unit (ECU) found significant disparities between commitments made publicly by institutions in policies and the realities for Black staff. Policies aren't always applied at department level, with individual managers influencing workload, responsibilities, recruitment and promotion – a situation ripe for unequal treatment and favouritism.

Conference is aware that the Department for Business Innovation and Skills, under the auspices of Vince Cable and David Willetts has written to Tim Melville-Ross CBE, Chair of Higher Education Funding Council for England (HEFCE) highlighting the fact that its equality and diversity schemes identify achievements for example:

- A) To promote equality and diversity and to advance equality opportunities
- B) To support and promote a positive approach to equality and diversity in the sector
- C) To support the sector in achieving a diverse and representative HE workforce
- D) To seek to promote equality and diversity and to advance equality of opportunity.

However, they also stated 'it needs to address the insufficient diversity of institutional governing bodies and the relatively low proportions of women and Black and disabled women in senior management positions'.

Conference believes that whilst the union has made great strides in challenging racism in the workplace, we should now broaden its activity to address the more subtle issues of Black staff inequality.

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Conference therefore calls upon the Higher Education Service Group Executive to work with the National Executive Council and the National Black Members Committee to:

- I) Undertake political campaigning by lobbying government, funding councils and employers to focus on and address the unchanged ethnic gradient
- II) Developing tools for branches to help identify the more subtle issues around race and the ingrained inequality that exists across the Higher Education sector which is blocking the upward movement of Black workers
- III) Work in partnership with other organisation that have a common purpose, including Universities Colleges Employer Agency (UCEA), Universities UK, the funding councils, Leadership Foundation for Higher Education and Equality Challenge Unit to challenge employers and promote good practice
- IV) Lobby Higher Education organisations to carry out pre and post assessments of recruitment activity to evaluate the success of Black applicants and revise processes which may discriminate
- V) Challenge employers to set clear targets for recruitment of Black workers, in particular Black women aiming for senior management posts, and support schemes to improve confidence and development of key skills.

National Black Members' Committee

9.1

5th paragraph beginning "Conference notes that the proportion of UK Black Staff...line 5 delete (

Section II) second line insert after inequality "and tackle institutional racism,"

Higher Education Service Group Executive

10. A Time to Change in Higher Education

Conference is aware that many people are affected by mental health conditions. It is concerning that nearly nine out of ten people who experience them say they face stigma and discrimination as a result.

In supporting members, our activists have noted that many Higher Education employers are neither aware of nor prepared to support staff suffering from such conditions.

Individuals suffering with mental health conditions can find that their illness is exacerbated by the treatment they receive at work often due to ;

- i) return to work plans taking little or no account of their specific needs and times scales to facilitate a successful return to work

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- ii) institutional capability and ill health procedures being unrealistic and failing to take account of the need to make “reasonable adjustments”.

Conference welcomes the various anti stigma campaigns such as “See ME “ in Scotland and “Time to Change” across England, Wales and Northern Ireland which to try and tackle the stigmatisation of mental health conditions and promote a greater understanding.

Conference believes that Universities have a strategic role to play within society and should set a leading example in supporting employees with mental health conditions.

Therefore Conference Instructs the Higher Education Service Group Executive (HESGE) to:

- 1) Work with the other joint campus trades unions, UCU, Unite, GMB and EIS to raise the issue with the Universities Colleges Employer Association (UCEA) and the Equality Challenge Unit (ECU) seeking the production of sector based guidance to enable Universities to better support staff with mental health conditions.
- 2) Provide advice and guidance to branches which:
 - a) Encourages them to raise awareness of the issue amongst activists and members and helps them to identify other potential organising and bargaining opportunities to support members with mental health conditions
 - b) Enables them to raise the matter locally with their employer and,
 - l) seek the review and amendment of policies and procedures to reflect the needs of staff with mental health conditions.
- II) encourage the employer to become a signatory to the appropriate anti stigmatization campaign.

Submitted by the South West Region Higher Education Committee

South West Region

11. Equality for higher education workers when universities go international

Conference notes that universities are responding to restrictive border regulations, which damages their intake of international students, by opening campuses abroad and having collaborations with overseas universities. Many more are likely to join this trend.

The universities and science minister has previously appealed to private investors to support overseas expansion for UK universities and stated that investment bank Goldman Sachs is “keen to investigate this possibility”. Mr Willetts also highlighted the government’s drive to introduce private providers into English higher education.

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Conference believes that HEIs need to be aware that not all HE staff feel safe and confident to be out at work as lesbian, gay, bisexual or transgender (LGBT). This takes on an additional importance when universities expand abroad. Same sex relationships remain a criminal offence in at least 76 countries and in seven countries the death penalty applies. Commonwealth countries have the worst proportion of criminalisation, with 80% of countries retaining criminalisation introduced under British rule. Where homosexual behaviour attracts criminal sanction, or there is widespread prejudice, LGB staff posted to such countries need to be aware of the situation. Further, same sex civil partnerships or marriages are not be recognised in many countries. Attitudes towards trans people may differ from those to LGB people, but violent transphobia is also widespread, often condoned by the authorities.

Conference further notes that whilst our HE employers have a general duty of care towards anyone they send abroad and must take into account the different conditions that may apply. Identifying the legal and cultural situation in a particular country is necessary, but is not in itself a sufficient measure. UNISON has a crucial role to play in negotiating with HE employers so staff, including LGBT staff, do not work to a lower standard of safety just because they happen to be working abroad. We should demand the same standards be adopted wherever staff are working.

Conference calls on the HE Service Group Executive to:

- a) Maintain a high profile commitment to LGBT equality in all negotiating, organising and campaigning;
- b) Negotiate with HE employers so when LGBT staff are to be sent abroad for work, employers carry out a proper risk assessment;
- c) Call for HE workers to be made aware both of the legal position, but also of the prevailing culture, in the destination country;
- d) Promote the use of UNISON's LGBT bargaining factsheets and other materials;
- e) Provide HE branches with advice for workers who are not out to their employers and may feel pressured to go to a working environment where they will not feel/be safe

National Lesbian, Gay, Bisexual and Transgender Committee

12. Equality for trans workers in our higher education institutions

Conference notes with concern that transphobia and bullying and harassment of trans people is still far too commonplace in workplaces and society, including in our higher education institutions (HEIs). A recent Government Equalities Office survey found that nearly half of trans employees experienced discrimination or harassment in their workplaces and 88% said that ignorance of transgender issues was the biggest challenge they faced in employment. Trans people replying to the survey highlighted transitioning at work as one of the most significant triggers for discrimination.

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Conference notes that the 2010 Equality Act makes it unlawful to discriminate against any person who is proposing to undergo, undergoing or who has undergone a process – or part of a process – of gender reassignment. It is also unlawful to treat people less favourably for being absent from work for gender reassignment than they would be treated if they were ill or injured.

Conference notes that there is increasing public awareness of trans issues. The Equality Challenge Unit (ECU) has already amended the advice on trans equality it issued in 2008 which had said that it would be rare for institutions to have a trans member of staff or student. Since they published their original best practice guidance, ECU has had an increase in queries from HEIs looking for guidance on supporting staff and students who are transitioning. They now advise that HEIs are likely to have trans people among their staff and students.

Conference further notes that there may be an element of anxiety about how colleagues or students, human resources (HR) and the academic department will respond. It is good practice for an institution to ensure managers and HR staff understand the law and its implications, and are familiar with gender identity issues.

Yet despite this, many higher education employers fail to address trans workplace equality. Transgender workers experience discrimination in a wide range of ways – in seeking time off for consultations and treatment, being denied the right to use facilities, employers failing to protect workers experiencing harassment or discrimination from students or staff, and much more. Our transgender members have reported how isolated they feel and that they can be unsure that their union representative or branch will be equipped to deal with the issues they face.

HEIs also need to be aware that the Disclosure and Barring Service (DBS) has implemented a process specifically for trans people who do not wish to disclose their trans status. HR departments should let all applicants know that they are not required to put their former names or gender on their DBS application form, and they can contact the DBS's sensitive applications team.

Conference therefore calls on the Higher Education Service Group Executive to:

1. Draw the attention of HE branch negotiators and equality reps to the transgender equality factsheet "Transgender workers rights" and UNISON's Introductory guide for trade union reps supporting trans members;
2. Urge HE branches to actively encourage trans members to participate in branch and regional LGBT self organised groups;
3. Encourage HE employers and branches to include trans issues in their equality training;
4. Highlight good practice and policies within HE and encourage the negotiation of specific policies on transitioning at work.
5. Seek to encourage the inclusion of trans perspectives equality objectives and equality impact assessment processes within our HEIs.

National Lesbian, Gay, Bisexual and Transgender Committee

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Negotiating and Bargaining

13. In Opposition to Zero Hours Contracts

This Conference believes that the current trends towards casualisation within the higher education sector is damaging for both staff and students. The extension of zero hours contracts into areas that would previously have provided permanent jobs for members of the local community undermine our pay and conditions, our ability to organise and the role of education institutions within wider society.

This Conference also believes that sustained opposition to zero hours contracts can score important victories against casualisation – the example of the Bakers, Food and Allied Workers' Union (BFAWU) members who struck recently in Wigan against Premier Foods and won shows that workers can get these contracts removed.

This Conference calls on the HESGE to:

- i) Encourage all Branches to raise the issue of Zero Hours contracts with their local Management and to produce information and advice materials to support this.
- ii) Encourage all Branches to take part in wider campaigns in their area against zero hour contracts – in order to highlight this issue within educational institutions.
- iii) To discuss joint campaigns with the NUS about zero hour contracts and their negative effects on both staff and students.

North West Regional Higher Education Service Group

North West Region

14. Zero-Hour Contracts & Agency Workers

This Higher Education Conference notes:

- 1) The brilliant win by Bakers, Food and Allied Workers Union (BFAWU) Wigan Hovis workers against zero-hour contracts and the mistreatment of agency workers.
- 2) UNISON's view that "zero hours contracts are not compatible with developing a professional workforce delivering quality services".
- 3) Under the UK's regulations which came into force in 2011, agency workers are entitled to the same pay and conditions as permanent staff doing the same job after 12 weeks. However, the so-called "Swedish derogation" loophole offers agencies and employers a way out of this, as long as the agency directly employs individuals and guarantees to pay them for at least four weeks during the times they can't find them work.
- 4) UNISON is backing the TUC in a formal complaint to the EU Commission that the UK is mistreating agency workers. The TUC has gathered evidence from

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workplaces where agency staff are paid up to £135 a week less than permanent staff.

- 5) UCU research showing that more than half of UK universities use zero-hour contracts, with more than 24,000 staff employed on such contracts across the UK.

This Higher Education Conference believes:

- a) That zero-hour contracts and agency workers are being used to undermine full time workers' pay and conditions.
- b) That such practices have a damaging effect on our ability as workers in HE to deliver a quality service to students. Staff employed on these contracts have less continuity in the job, less opportunity to build up experience, and lower access to training and development.
- c) A fight against such practices will be a fight for permanent jobs and equal pay.

This Higher Education Conference instructs the HESGE:

- i) To conduct research into the prevalence of zero-hour contracts amongst Higher Education support staff.
- ii) To work with the NUS and other HE unions to initiate a national campaign against zero-hour contracts and the misuse of agency staff in Higher Education. This campaign should use all methods available to us, up to and including industrial action where an employer fails to eradicate these practices.
- iii) To encourage all Branches to raise the issue of zero-hour contracts with their local management and to produce information and advice materials to support this.
- iv) To highlight and support all local campaigns against zero hour contracts and the misuse of agency staff.

Manchester Metro University

15. Zero hours contracts

Conference notes that as part of the general attack on staff terms and conditions that has accompanied the intensification of privatisation and cuts to funding across the public sector, employers including universities have increasingly been turning to zero hours contracts. Under these contracts, an individual typically undertakes to be available for work but the employer does not undertake to provide any work and only pays for the hours worked.

The Office of National Statistics estimated in the final quarter of 2012 that the number of employees on zero hours contracts surged to 200,000. However, information uncovered subsequently now suggests that this is a major under-

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estimate, with the Chartered Institute of Personnel and Development (CIPD) going so far as to suggest that the true number has hit one million.

Conference instructs the Higher Education Service Group Executive to provide advice to branches on the following:-

- 1) The damaging effect of zero hours contracts on the employer's ability to attract and retain high quality staff;
- 2) The consequent reduction in continuity and quality of services provided due to zero hours contracts;
- 3) The danger of inadequate staffing levels if workers on zero hours contracts are unable to respond to the call to come into work;
- 4) The loss of training and skills development that tends to accompany such contracts, leading to a further decline in the quality of service delivered;
- 5) The increased likelihood of deterring whistle-blowing on poor organisational practice (including health and safety issues), due to workers' fears that they will be victimised through cuts in hours offered due to being on zero hours contracts.
- 6) That zero hours contracts are not compatible with developing a professional workforce delivering quality services.

Higher Education Service Group Executive

16. Protection of our Terms & Conditions

This conference condemns the appalling practice over the past year of the employers changing people's contracts and terms and conditions with the "accept it or you're out" attitude as with Liverpool University and the hard working long serving staff.

Therefore conference calls upon the Higher Education Service Group Executive to work with the National Executive Committee to create a national agreement of terms and conditions for our members similar to the lecturers' Silver Book Agreement.

This could be done by making ties stronger with all other trade unions to work together in unity and producing a set of National Terms & Conditions and take them to UCEA.

- 1) These should include

To make sure the lowest pay spine point always meets or exceeds the hourly rate of the "living wage" (based on maximum calculation of a 37 hour week and excluding any other factors such as annual leave and sick pay).

Liverpool John Moores Univ

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17. Higher Education Role Analysis (HERA) and Grade Drift

This conference is concerned at the downward grade drift taking place throughout Higher Education establishments across the UK. Conference believes that the employers have a deliberate agenda to recoup the gains made by our members during the implementation of HERA. There is evidence of employers using restructures to slightly modify the Job Descriptions and subsequently reduce the grades of those posts.

Conference is also concerned at reports of employers refusing to involve UNISON in the evaluation of new posts stating that joint involvement and joint grading panels were only for the implementation of HERA.

Conference calls upon the National Higher Education Service Group Executive to:-

- 1) Hold national HERA refresher training solely for UNISON representatives that can focus upon what to watch for in restructures and attempts to downgrade posts.
- 2) Undertake a review to see how widespread the problem of no joint involvement in grading new posts is throughout the sector and if necessary launch a campaign to ensure that the joint process that was in place to implement HERA continues with joint involvement in grading of all new posts and appeals in Universities.
- 3) Reissue advice to branches on HERA and launch a campaign to ensure that posts that have been changed due to restructuring are job evaluated in line with the national guidance.
- 4) Provide guidance and training on grade drift for branches not using HERA for example HAY.
- 5) Contact the appropriate training organisations with a view to developing refresher training for branches and negotiating a discount/ bulk charge for this (which will be met by branches).
- 6) To raise the issue of grade drift with JNCHEs.

Higher Education Service Group Executive

18. Excessive Workloads

Conference notes that in this current climate of Government cuts resulting in a reduction to services and jobs, professional support staff are experiencing many challenges within the workforce.

Since 2008 government funding cuts have become more savage; ministers have publicly called for more to be done for less across the entire public sector and specifically in higher education.

Higher Education has suffered waves of redundancies, and re-structures attributed to the funding cuts leaving the fewer staff that remains to do more.

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There has probably never been a time when excessive workloads and working hours in higher education has been a bigger or more relevant issue to as many UNISON members as now.

Conference we can only assume that the pressure on members to accept onerous, excessive, and un-safe workloads will grow even more.

Conference believes that the workload problem is responsible for a rise in stress related illnesses amongst professional support staff.

Excessive workloads are the single most common factor that members reported making a very high contribution to unacceptable levels of stress.

Universities already rely heavily on the good will and commitment of its staff, and we take pride in delivering a good service. Furthermore, we all have an interest in seeing the universities live within its means, but that should not mean forever taking on more work to help universities out of difficulty.

Conference therefore instructs the Higher Education Service Group Executive (HESGE) to:

- 1) Investigate the extent to which workloads are increasing and the causes of these increases and to come forward with proposals to support members to reverse this trend.
- 2) Liaise with the NEC to raise awareness of the problems and provide advice and recommendations on how to deal with the overloading of work that is requested by line managers;
- 3) Make Regional Higher Education Committees and Branches aware of the issues;
- 4) Find examples of where branches and regions have successfully challenged attempts to increase workloads, and disseminate this 'good practice' to the membership.

University of Westminster

18.1

After 4) add: 5) campaign for the harmonisation of working hours across the sector to 35 hours per week with no loss of pay.

University Of Brighton

19. Working in HE – The Hidden Costs

This Conference understands that recent pay awards in Higher Education have meant that many UNISON members working in this Sector are experiencing a decline in the standard of living for themselves and their families.

Conference recognises that the real terms pay cut staff are facing is an issue in itself, but that UNISON members in Higher Education are also facing other hidden

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costs that can further add to the strain of making ends meet or maintaining a decent standard of health and wellbeing.

Conference believes that research into these financial and emotional hidden costs would lend weight to future National negotiations and to local bargaining on a wide range of issues.

Conference therefore calls on the Service Group Executive to undertake a National study on the following, with a view to undertaking a campaign on The Hidden Cost of Working in HE:

- a) The increasing cost of travel that our members are facing to and from work and the percentage of their income that this equates to.
- b) The amount of money that our members are having to spend each week on parking fees/park and ride fares and how this impacts on their standard of living.
- c) The impact that increasing workloads, bullying at work and work/life balance issues are having on the health and wellbeing of staff working in Higher Education.

Eastern Region

20. University Finance – we must take an interest and be vigilant

Conference in the light of the Browne Review of Higher Education finance and the Comprehensive Spending Review it was reported that HEIs will have to be very quick on its feet to avoid serious financial problems and potential bankruptcy as the cuts take effect and the impact of higher fees become apparent.

Conference every year the Funding Council provides an overview to HEFCE on the financial health of the higher education sector in England. The report provides universities and higher education colleges with feedback on their financial performance and also provides other stakeholders with information about the current financial health of the sector. The key points in the report demonstrate accountability for the public funds distributed to universities and the accountability returns enable HEFCE to reassess HEIs' overall risk assessments and to ensure that HEIs are meeting their accountability responsibilities.

Conference according to the report on the financial health of the higher education sector: 2012-13 to 2015-16 the overall financial results for the sector in 2011-12 showed a sound position overall with the sector forecasting continued surpluses, healthy liquidity and reserve levels, although cash balances are forecast to reduce.

Conference the report highlights that the key risk facing the sector's future financial sustainability continues to relate to the uncertainty of future home and EU recruitment. It also shows that at an aggregate level the sector expects full-time home and EU undergraduate student numbers to be 3.1% lower by 2015-16, compared with 2011-12.

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Conference in the book entitled *The Great University Gamble: Money, Markets and the Future of Higher Education* by Andrew McGettigan it analysed the various impacts of the Coalition government's vision for the higher education sector. The findings highlighted why higher education reforms don't add up lays out the basics of the system we have for student finance – prominent of which has been the most complete removal of direct government funding for institutions through block grants, and its replacement with higher tuition fees paid for by the individual student.

Andrew McGettigan's book also explore the role of "marketisation" as the overriding logic behind the Coalition's reforms, and how they have been designed to make it easier for new provider to enter the higher education sector, including those operating on a for-profit basis. Part three of the book examines how difference forms of privatisation have influenced higher education institutions in recent years, not only in terms of funding but also with regard to their corporate structures which increasingly resemble those of private companies and how this has reduced the potential for universities to remain publically accountable.

Other themes are the secretive and shadowy mechanisms which have been used by the Coalition to implement is higher education reform agenda, which have minimised the opportunities for proper democratic accountability.

Conference the changes which have been made to higher education by the Coalition since it came to power in 2010 produce a complex story which McGettigan tells with remarkable skill and attention to detail.

Conference we must all be concerned with our university finances. We must all take an interest to understand how we would know if something was wrong.

McGettigan addresses the challenges that HEIs face as a result of these changes and also of the challenges that they pose for trade unionists. Among the latter he highlighted the need for vigilance in the way universities manage their finances. He highlighted some universities borrowing money in very risky ways through bond markets.

These are complex issues and branches are ill-equipped to meet them.

Conference therefore instructs the Higher Education Service Group Executive to:

- 1) Assist branches and regions in the work of exercising the necessary vigilance by providing written and web-based guides.
- 2) Encourage regions to set up training courses which train branch officers in understanding the relevant aspects of university financing and what action is available to them to influence university policy in this area.
- 3) Find examples of good practice among union branches in this area and disseminate this among members.
- 4) If possible provide any expertise available in the union nationally to assist branches in addressing these challenges.

University of Westminster

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21. Freedom of Information Requests

This conference calls on the Higher Education Service Group to lead and coordinate a systematic programme of submitting Freedom of Information requests to all relevant Higher Education institutions to identify the value of salary and wider reward packages offered to that institution's senior management. Information gained should then be made available to local branches and also used to build support for wider campaigns such as national pay and the Living Wage

University Of Herts Unison

21.1

After "senior management" insert new sentence "FOI's should also be used to identify and publicise additional roles held by University senior managers, outside of their own institutions, and the remuneration they receive for such activities".

Eastern Region

22. Poverty Pay Doesn't Pay - the Living Wage in Higher Education

Conference applauds the successful implementation of the Living Wage that has been achieved at Exeter University, Wolverhampton University and Loughborough University amongst many. At Exeter University, the Students Guild has also agreed to implement the Living Wage which demonstrates that being a Living Wage employer is also about applying the same standard to services that are provided on behalf of the University by other employers. Exeter Students Union (The Guild) is demonstrating the same commitment to the Living Wage, and we applaud them for their far-sighted approach.

Unfortunately there remain a large number of universities that refuse to pay the Living Wage. That these universities are amongst the richest in the UK and employ the largest number of low paid workers is a cause for shame. Equally damning is the refusal by the national employer's organisation UCEA to recommend to its constituents the implementation of a Living Wage for both directly and indirectly employed staff.

Conference notes that pivotal to the success and sustainability of any Living Wage campaign is the unionisation of the workers to meet the other challenges facing them in the workplace including poor job security, lack of training opportunities, poor sick leave and annual leave entitlements.

Conference, however, notes that some Higher Education Institutions have decided to use their procurement policies and procedures to extend the Living Wage to private and voluntary sector contractors. Conference therefore asks the Service Group

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Executive to promote the procurement advice to branches and to lead a campaign to shame those universities who do not pay the Living Wage and those Universities who do not ensure their contractors pay the Living Wage.

Conference instructs the Service Group Executive to:-

- 1) Continue to work with the National Union of Students on the joint Living Wage campaign taking place in further and higher education
- 2) Continue to support branches and regions in local and regional Living Wage campaigns
- 3) To continue to encourage branches to engage with community groups in the fight for justice for low paid workers in higher education
- 4) To name and shame the institutions that refuse to the pay the Living Wage
- 5) To name and shame those institutions who do not ensure their contractors pay the Living Wage.

Higher Education Service Group Executive

23. Higher Education (HE) PAY 2014 and the future

This conference condemns the appalling practice over the past years of the employers to fail to demonstrate a true commitment to engage in realistic pay bargaining. This has been evidenced by them coming to the table with insulting offers in response to joint union pay claims

It is hypocritical to make such offers claiming financial restrictions whilst continuing to ensure that there is an ever growing pay gap of salaries in senior institutional management.

Higher Education and student experience is delivered by people not buildings.

Therefore conference calls upon the Higher Education Service Group Executive (HESGE) to:

- 1) Work together with the other joint trades unions through Joint Negotiating Committee for Higher Education Staff (JNCHES) to achieve a workable and sustainable pay deal that is realistic for both the members of Higher Education and the Employers.

Any such deal must be based upon the fact that:

- a) Members have shown that they will not accept insulting token offers less than the rate of inflation.

Such as "0.25%, 0.5%, 0.75%, 1%" unless part of an incremental multiyear offer.

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- b) To make sure the lowest pay spine point always meets or exceeds the hourly rate of the “living wage” (based on maximum calculation of a 37 hour week and excluding any other factors such as annual leave and sick pay).

In addition the HESGE should work with the other trades unions currently part of New JNCHES to:

- i) Survey members of all branches whose institutions are currently signed up to JNCHES pay scale, to ascertain whether those Higher Education Institutions (HEIs) are correctly involving unions in the grading of roles as was set out in the National framework agreement.
- ii) To review the current New JNCHES negotiating arrangements to determine whether the current negotiating framework is fit for purpose and whether increasing the number of negotiating meeting from 3 to 6 would achieve a better commitment to signifying a true commitment by the employers to enter into negotiations with the same good faith as soon as possible by the trades unions.

Liverpool John Moores Univ

24. Pay Claim 2014 onwards

This Conference believes that UNISON’s Pay claim over the last two years, and our accompanying campaigns and ballots, have already had an effect in slowing the cuts to our pay. It is imperative that we follow up on this action with robust campaigns over the next few years that can truly halt and start to reverse our pay cuts.

This Conference calls on the HESGE to:

- i) Continue our policy of RPI plus 2% for negotiations with UCEA in 2014.
- ii) Include national redundancy, retraining and restructure policies within this claim and to campaign on these issues locally and nationally should UCEA refuse to negotiate on them.

Manchester Metro University

25. JNCHES Pay 2014/15

Conference welcomes the decision by UNISON's Higher Education Service Group Executive (HESGE) to ballot members on the 2013/14 pay offer and the decision by members to take industrial action to substantially improve the offer.

Conference believes that our fight for fair pay and conditions is part of UNISON's fight against austerity and for an alternative political economy which recognises the value of public services and public service workers.

Five years of pay restraint have seen a real terms fall of almost 15% for most support staff in higher education. At least a third of universities do not pay all of their staff a Living Wage – the minimum level needed to provide workers and their families with a decent standard of living – currently set at £7.65 (£8.80 an hour in London). Conference notes that low pay and discrimination continue to blight the working lives of women, pregnant women and black members.

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The long-term pay freeze has left many higher education workers battling to make ends meet and dependent on benefits and loans to survive.

There is a massive difference in pay between those at the top and those at the bottom, with the lowest paid having to work on average 18.6 years to earn the annual salary of the head of their university.

Pay restraint hasn't applied equally to all. Since 2009, the number of staff in HE being paid over £100,000 has increased substantially and VCs are earning higher salaries than the prime minister. At the same time, the proportion of HE expenditure spent on salaries is falling as more is being invested in new buildings.

In the last two years, surpluses in the sector have been over £2 billion, yet employers are claiming poverty. The increase in student fee income has more than offset cuts in government grants and full-time undergraduate numbers have held up despite the employers' pessimistic forecasts.

Conference applauds those branches which have successfully negotiated the introduction of the Living Wage and urges our national and branch negotiators to prioritise campaigning for a Living Wage for all.

Conference calls on the HESGE to continue to work with other unions to campaign jointly in 2014, again aiming for a united response to any pay offer from the employers.

Conference therefore calls on the Higher Education Service Group Executive to:

- 1) submit the following to the HE joint union pay claim for 2014/15:
 - a) A one year settlement which is equivalent to the rise in the Retail Price Index (RPI) for the previous year, plus an additional percentage to begin the catch up necessary to make up for recent real terms losses; and
 - b) A demand that the Living Wage is extended to all staff working directly or for contractors in Higher Education, including the deletion of the bottom two points on the national pay spine and any points below the Living Wage on local pay scales.
- 2) Provide easy-to-understand materials on the impact of austerity on higher education workers and the 'alternative' economic policy
- 3) Seek widespread coverage of higher education pay issues in the women's and black press as well as the mainstream press and media
- 4) Work with UNISON Labour Link to encourage the Shadow front bench in Westminster and sympathetic Member of Parliament (MPs), Assembly Member (AMs) and Member of Scottish Parliament (MSPs) to develop support for our pay claim.

Higher Education Service Group Executive

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25.1

Amendment to Motion 25

Additional paragraph after paragraph 9

“Conference above all recognises the importance of building our campaign and consulting with HE members so that both membership and branches feel engaged and more closely connected with the objectives and actions of the campaign.”

Insert new action point 2:

2) To consult with the HE membership via branches following each stage of pay negotiations ensuring that the members are in support of the plan of action that the HESGE propose.

Renumber the following action points.

Staffordshire University Branch

26. Motion – Pay Rise Negotiations

We call upon the HESGE to negotiate future pay rises as a lump sum rather than as a percentage in order to address the widening gap in pay and the inequality to lower paid staff.

The usual procedure is that we negotiate a pay rise as a percentage of an employee's current pay. There are advantages: you can compare the pay rise to the consumer price index and it is easy to calculate. However, the pay gap between the highest paid employee of an organisation and the lowest paid employee is getting bigger. In fact, the pay gap between the group of employees we represent is quite big. In real terms, the cost of living has gone up by 13% in the last 5 years (taking the consumer price index into account). We therefore suggest that we ask for the same amount of pay rise for all employees. It is fairer than a percentage rise in these hard times. The cost to the employer should be the same as if you had negotiated a percentage but distributed evenly across all employees. To ask for the same amount for everybody is the way forward! After all it is supposed to be team work, we cannot do our jobs without each other!!

Loughborough University

27. Pay Claim 2014-2016

Conference notes that over the past 5 years the pay claims and negotiations have not been as successful as hoped. However if we look back to the three year pay claim which was put together to work towards catching up for a loss in pay back in 2007, this was successful and well received by our members.

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It was starting to work toward lifting HE Staff up to a decent standard of living. However over the last five years we have seen a real term loss of 13% when you take the soaring costs of inflation into account.

Many Institutions budget for a greater percent increase than the Employers are willing to offer each year meaning the Employers are saving on the pay budget each year.

Members have disengaged with year on year pay campaigns and would benefit from a longer more sustained campaign.

Conference therefore calls on our Higher Education Service Group Executive to:

- 1) Continue to work with the other Trade Unions for a minimum of a two year pay claim, working towards catching up on the 13% pay cut, by launching a claim for 5% plus RPI or 2.5% whichever is the greater.
- 2) Negotiate with the Employers for a firm commitment to pay all staff a living wage (including contractors)
- 3) Negotiate with the Employers to move towards a national 35 hour working week,
- 4) Negotiate a harmonisation of annual leave with our Academic Colleagues.

Anglia Ruskin University

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Amendments Ruled Out of Order

Could place the union in legal jeopardy

Motion 3 Thinning of the work force

Not printed on the advice of the legal officer

University Of Brighton

Introduces substantial new subject matter

Motion 5 Equality Impact Assessments

Fourth paragraph second line delete "robust" and replace with "timely"

To add to final sentence after proposals "which will include a robust action plan to ensure compliance with the Equality Act 2010".

Higher Education Service Group Executive

Not sufficiently clear

Motion 3 Thinning of the work force

Third paragraph after "This can be done" insert the words "via Freedom of Information requests to each.."

Eastern Region

Motion 10 A Time to Change in Higher Education

In point 2 insert the words "guidance and training" after the word "advice"

Add new point 2b "Work with branches to develop officer skills to support members with mental health conditions and related casework"

Eastern Region

Motion 17 Higher Education Role Analysis (HERA) and Grade Drift

Point 1, insert the words "HERA training for UNISON members " after the words "national".

New Point 4 "Provide guidance and training on grade drift for branches using other job evaluation systems, for example HAY, Equate etc".

Capital R at beginning of Point 6

New Point 7 "Work with other HE unions to develop a coherent approach"

Eastern Region

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Superfluous

Motion 20 University Finance – we must take an interest and be vigilant

After 11th paragraph (endingmeet them) add: However, conference recognises that whilst we can point to incompetence and mismanagement of universities and make recommendations, the fundamental responsibility for funding of universities rests with the government. Our members' terms and conditions come first, and we do not accept that those universities which cannot pay their employees a decent wage, for example, should delay payment, be left to go bankrupt or make other cuts to balance their budgets.

Struggling universities should be adequately funded and handed over to democratically accountable bodies to safeguard jobs and the terms and conditions of our members. Those bodies should include elected representatives of the trade union movement and the community, who would run universities for society and not for personal gain.

University Of Brighton

Beyond remit of the Conference

Motion 23 Higher Education (HE) PAY 2014 and the future

Add: However, a successful campaign for 2014 needs to be based on experience gained as part of the (current) 2013 campaign. Conference therefore calls on the HESGE to resolve to ensure that:

- 1) the campaign is backed up with a bold, determined strategy of industrial action laying down dates for the action to be immediately accelerated if UCEA do not move, based on the one day, two days, three days strategy or a similar tactic.
- 2) Lower paid members in particular need to be reassured that unison and the wider trade union movement will ensure that funds are used to guarantee hardship and/or strike payments to adequately sustain the campaign, so that the familiar 'I'd like to join you but I just can't afford it' isn't a widespread feature of the campaign.
- 3) action is supported by the vast majority of members who recognise that action brings results and can see that the strategy laid out for winning a better deal is worth the short term loss of pay.
- 4) The concept of democratic decision making followed through with united action on the decision made is fully understood by members as a necessary principle in the Trade Union movement.

University Of Brighton