



Higher Education Service Group Conference

Preliminary Agenda

**Bournemouth
2 March 2017**

**(Motions contained in this agenda will be debated on
Thursday 2 March 2017)**

**2017 Higher Education Service Group Conference
UNISON PRELIMINARY AGENDA**

2017 Higher Education Service Group Conference

UNISON PRELIMINARY AGENDA

Campaigning

1. Diamond Review - *University of South Wales*
2. UNISON HE Members & Reps Require Improved Mental Health Support - *Kingston University*
3. Workplace Bullying - *Cardiff University*
4. Removing barriers for disabled workers - *National Disabled Members Committee*
5. Against xenophobic divisions in our universities and communities - *Manchester Metro University*

Negotiating and Bargaining

6. Closing the Gender Pay Gap - *National Women's Committee*
7. Higher Education Pay Claim - *Liverpool John Moores Univ*
8. Real Pay Negotiations - *Liverpool John Moores Univ*
9. Higher Education Pay Claim 2017 - *Liverpool John Moores Univ*
10. Trans inclusion in higher education workplaces – *National Lesbian, Gay, Bisexual and Transgender Committee*
11. Higher Education workers deserve fair pay - *Higher Education Service Group Executive*
12. Campaigning for £10/hour minimum wage across higher education - *University Of Brighton*
13. Member-led Democracy – *Manchester Metro University*

Organising and Recruitment

14. Organising and Recruiting in Higher Education - *Higher Education Service Group Executive*
15. Organising Outsourced Workers - *Higher Education Service Group Executive*

Efficient and Effective Union

16. The future Higher Education Service Group within the union – *South West Region*
17. Higher Education (HE) Pay Ballot for strike action Sept 2016 – *West of Scotland University*

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Motions Ruled Out of Order

Beyond remit of the Conference

- A) Timing of Higher Education (HE) Conference

Higher Education Service Group Executive

Could place the union in legal jeopardy

- B) Forfeiture of Honorary Fellowships

Not printed on the advice of the legal officer

Liverpool John Moores Univ

In breach of the agreement on the political fund

- C) A commitment to free education for all

University Of Brighton

Not internally consistent

- D) Motion Prevent

Manchester Metro University

Not sufficiently clear

- E) Removal of international students and The European Union (EU) students from immigration figures

Oxford Brookes University

Received twice

- F) Member-led Democracy

Manchester Metro University

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Bournemouth International Centre

02 Mar 2017 02 Mar 2017

Campaigning

1. Diamond Review

Conference notes the Diamond Review in its final set of recommendations attempts to create a long term, financially sustainable model which also preserves Wales' distinctive approach to Higher Education.

Key proposals include:

A shift from the Tuition Fee Grant towards increased maintenance support.

“The focus of undergraduate support for those studying on a full-time basis therefore moves from the Tuition Fee Grant towards improved maintenance support arrangements for all full-time and part-time undergraduate students with the highest level of grant support covering the full cost of maintenance for those most in need, with income contingent loans to cover tuition fees”.

- a) Universities in Wales should be able to charge fees up to £9,000, with top ups from HEFCW for higher cost subjects (for both full time and part time students).
- b) All Welsh full-time students studying away from home (outside London) will be eligible for up to £8,100 in maintenance support, on top of a universal grant of £1,000. Means-tested grants will be available for students from the majority of households.

In its evidence to the Diamond Review, UNISON restated our commitment to a free education system funded by general taxation – but said that we welcomed any examination of fairer ways of resourcing Higher Education that takes us closer to this goal.

Conference particularly welcomes proposals to support part-time students. A large proportion of UNISON's members are from groups that would be deemed as non-traditional for HE purposes. While public debate around higher education overwhelmingly focuses on young people, the importance of life-long learning and opportunities for mature students should not be an afterthought. In its evidence to the Diamond Review, UNISON expressed concern about the falls in the numbers of part-time students, with Wales seeing a fall of 12% in the period of 2010/11 to 2012/13. Our evidence went on to argue that the function, management and funding of adult education should be reconsidered in the light of failure to upskill the workforce or provide lifelong learning opportunities. Relief of the financial barriers and constraints for adult and part-time learners should therefore be a priority.

Conference also welcomes proposals for greater support for students with experience of care, those with disabilities and those who are parents.

Conference believes that the proposals from the Diamond Review focusing on the barriers presented by maintenance support are valuable - there is considerable evidence that poorer students in Wales are already benefiting from current financial support for maintenance and living support. The Welsh system, which provides the highest spending power and lowest debt to students from poorer families, also appears to reduce the need to work during term time which reduces the potential disadvantage that these students may

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otherwise face' and 'only 21% of Welsh students say that they will need to work during term time to meet accommodation costs, compared to 32% of English students and 35% of Scottish students.'

Conference therefore believes that this proposal will lower barriers for students from non-traditional and disadvantaged backgrounds and produce a model to be used in other parts of the United Kingdom.

Conference calls on the Higher Education Service Group Executive to:

- 1) Support UNISON Cymru/Wales' HE branches to campaign for Welsh Universities to include its' own staff when developing strategies for widening access and increasing participation from non-traditional backgrounds, as many of our members working in HE do not have higher level qualifications;
- 2) Support UNISON Cymru/Wales' HE branches campaign for a sustainable Welsh HE system that is not based on increasing numbers of employees on zero hour contracts or extensive use of agency staff and ensures the living foundation rate of £8.45 per hour is the minimum rate of pay;
- 3) Lobby Welsh Government to improve the accountability of the Welsh HE sector in respect of Government HE policy objectives, including widening participation.

University of South Wales

2. UNISON HE Members & Reps Require Improved Mental Health Support

Conference notes that UNISON Higher Education Members are under unprecedented amounts of stress. It is further acknowledged that contributing factors include restructuring, redundancy, inadequate pay and the rising national cost of living.

Mental health illnesses take many forms and often make it difficult for both the employer and affected employees to recognise the symptoms, thus making effective counselling, support and welfare during sickness absence, and in the workplace, difficult.

In its Work related Stress, Anxiety and Depression Statistics in Great Britain 2016 report, the Health & Safety Executive says that "work related stress is defined as a harmful reaction people have to undue pressures and demands placed on them at work". It goes on to state that public services (including Education) are most affected and that mental illnesses (including stress) accounted for 37% of all work related ill health cases and 45% of all working days lost to ill health in 2015/2016.

It is also recognised that there is still a culture of bullying and harassment in some institutions which adds to the existing pressure on staff at all levels.

Conference also acknowledges that branch elected officers, stewards and reps often feel ill-equipped to help members to deal with mental health issues. They may also experience increased stress and other mental health problems themselves as a result of supporting members whilst dealing with their own everyday lives.

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

- 1) Develop resources for branches to help support members with mental health issues;
- 2) Create opportunities at national and regional level to train branch elected officers and reps on how to develop skills to help mental health issues;
- 3) To raise awareness with members and branches of the employer's duty of care to help employees with mental health issues; whether or not it is work related;
- 4) Encourage and support branches to ensure that the employer has sound policies regarding stress and mental health issues;
- 5) Educate branches and employers on the Equality Act 2010 and mental health issues including the right of employees under the act including disability discrimination and reasonable adjustments.

Kingston University

3. Workplace Bullying

Conference notes that in recent years, along with increased workloads, increased demands from employers and an increase in work place sickness levels, work place bullying is also on the increase.

Unfortunately bullying is no longer exclusive to the school yard, and many adults some of whom experienced bullying in childhood have gone on to suffer bullying in adulthood too. In the workplace, often right under the noses of their employers and immediate line managers.

Bullying can take many forms and is not always obvious. Sadly instances such as cyber bullying, direct and indirect bullying, bullying involving a persons age, race, gender and sexual orientation, is on the increase and we must equip our activists and members with the tools and knowledge on how to recognise, report and support those that fall victim to this unacceptable behaviour.

Conference notes with concern, the detrimental effect that bullying can have on a victim's mental and physical wellbeing.

As a trade union that works continually to protect worker's rights, we must also work to protect their health, safety and wellbeing.

This conference calls on the Higher Education Service Group Executive to:

- 1) Collect examples of good practice from Higher Education branches on policies and procedures to tackle work place bullying;
- 2) Develop tools for branches to help identify issues and workplace bullying especially subtle and not always obvious bullying;
- 3) Work in partnership with other organisations that have a common goal to challenge employers in work place bullying and promote good practice.

Cardiff University

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4. Removing barriers for disabled workers

This Conference is concerned that research has consistently shown that within the Higher Education sector, disabled staff are not having their access needs met and institutional discrimination against disabled staff is widespread.

Disabled workers in Higher Education institutions are disproportionately selected for redundancy, and can face both direct and indirect discrimination when trying to get the adjustments they are entitled to, including reasonable adjustments in the workplace, Access to Work support and access to disability leave.

UNISON's 2016 Equality Survey revealed that of the 68 disabled members who responded from the Higher Education service group requiring reasonable adjustments in the workplace, only 31% received them in a speedy and satisfactory manner and 28% said their employer has not implemented the reasonable adjustment, even though the employer is aware of it. This suggests that some managers do not understand or comply with their duties, or responsibilities under the Equality Act 2010 to make reasonable adjustments.

Very often disabled members do not know their rights under the Equality Act 2010 and turn to their union representatives or Branch Officers for assistance. Not all representatives, stewards or officers are aware of how to support disabled members in these circumstances.

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

- 1) Develop guidance for negotiators to support disabled members (including those covered by other protected characteristics) in Higher Education.
- 2) Include guidance on how to secure reasonable adjustments in the workplace and information on Access to Work;
- 3) Update the Guide to Disability Leave in Higher Education and distribute this to branches and regions;
- 4) Proactively encourage branches to organise disability awareness training for their reps and officers.

National Disabled Members Committee

5. Against xenophobic divisions in our universities and communities

This conference notes with concern the proposals by Home Secretary Amber Rudd regarding changes to the way the government approaches international students and their status. We are also concerned about the uncertainty faced by international staff in universities following the Brexit vote.

We believe everyone has a right to a decent and happy life and that everyone has a right to access work and education. International students and staff, alongside migrants and refugees in wider society, make a valuable contribution to our workplaces and to our communities, and that contribution is not just an economic one – they are our colleagues, friends, family and partners. We strongly oppose racist, nationalist and xenophobic policies that aim to divide us along lines of race or nationality.

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Aside from the problematic notion of ranking universities against one another based on, at best, questionable statistics, Amber Rudd's proposal to limit international student recruitment to the "best" universities and courses is potentially hugely damaging for our international community. As the NUS points out: "International students studying at Top ranking universities make up a very small proportion of those studying in the UK." Limiting international admissions to those "top" universities could see a massive decrease in the number of international students arriving to our universities.

While we do not subscribe to the xenophobic notion that "Britain is full", we believe that international students should not be included in net migration targets. We oppose the idea that we should limit the number of international students and other migrants that we welcome to the UK.

This conference calls on the HE SGE to:

- 1) Initiate a campaign, alongside the NUS, UCU and other education unions, in defence of international students and staff. The campaign should include demands for an internationalist higher education service and for an end to the treatment of international students as a cash crop, bringing fees into line with those paid by home students, with an increase in funding from government to make up any shortfall. The campaign should explicitly oppose the xenophobic and racist scapegoating of migrants and refugees across our society, and should include mobilising against racist and fascist groups such as the English Defence League and Britain First.
- 2) Make representations to the Home Office, in coordination with the NUS, UCU and other education unions, demanding that:
 - a) International student numbers are not included in migration targets;
 - b) International staff are given assurance that they will be allowed to remain and work in the UK following the exit of the UK from the EU.

Manchester Metro University

Negotiating and Bargaining

6. Closing the Gender Pay Gap

Conference notes that according to the "New Joint Negotiating Committee for Higher Education Staff (JNCHES): Higher Education gender pay gap data" report which was published in September 2016, the gender pay gap in Higher Education has narrowed. However, it is disappointing to note that despite the Equal Pay Act being enacted over 40 years ago there is still a persistent pay gap in the sector.

Conference therefore calls on the Higher Education Service Group Executive (HESGE) to press UCEA (Universities & Colleges Employers Association) to commit to ending the gender pay gap by 2020.

National Women's Committee

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7. Higher Education Pay Claim

In real terms that our members will understand, Higher Education pay is down between £400 - £600 per month depending on your grade. That's between a 30 - 35% loss in pay over the past 11 years.

All this while student numbers, student fees, support staff work load, campuses, lecturing staff and Vice Chancellor's pay have all increased dramatically. The only two consistent decreases in Higher Education are support staffing numbers and support staffing wages. Why is it always the people who do the work, who are the people that are hit unfairly?

This conference calls upon the Higher Education Service Group Executive to negotiate:

- 1) A six year pay deal 2017 – 2023.
- 2) 10% increase in pay each year for six years.

Liverpool John Moores Univ

8. Real Pay Negotiations

Higher Education Pay is once again the lowest paid service group in the public sector.

Staff at Higher Education Institutions across the country are fed up of non-meaningful negotiations with the employers, over pay.

This conference calls upon the Higher Education Service Group Executive to embark upon real meaningful negotiations with the employers:

- a) Make pay negotiations solely about pay.
- b) Increase negotiations to six meetings.
- c) Start negotiations very high eg 40%.
- d) Look for common ground on both sides of the pay claim.
- e) Provide supporting data that the employers can't dispute with the pay claim.
- f) Investigate the possibility of linking employee's pay to chancellors pay

Liverpool John Moores Univ

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9. Higher Education Pay Claim 2017

Higher Education Pay is once again at its lowest point in history, even lower than before the three year pay deal back in 2005. Higher Education Staff are increasingly working under added work load with less staff. Year on year we are receiving scroogely pay rises of minute percentages “0.5, 1, 2, 1.1”, whilst the Vice Chancellors are receiving percentages of “15, 16, 17, 18.” This is unjust and an insult to the hard working staff of the Higher Education Institutes across the country.

This conference calls upon the Higher Education Service Group Executive to negotiate:

- a) A real term pay rise for all our members of 40% with the employers.

Liverpool John Moores Univ

10. Trans inclusion in higher education workplaces

Conference welcomes the increasing numbers of trans members participating in UNISON’s Lesbian, Gay, Bisexual and Transgender (LGBT) group and growing acceptance of trans equality as an issue that must be addressed in all workplaces.

However, Conference notes the recommendations of the Parliamentary Women and Equalities Committee Inquiry into Transgender Equality, which found persistent and widespread discrimination and disadvantage. The Inquiry report, published early in 2016, singled out higher education, calling for all university staff to receive gender identity awareness training, for higher education institutions (HEIs) to take proactive steps to promote trans equality, including having a Transgender Champions scheme for their non-trans staff.

The report also judged the current protection provided by the Equality Act ‘outdated and confusing’ and called for the equality characteristic to be reframed from ‘gender reassignment’ to ‘gender identity’. This recommendation acknowledges that growing numbers of people identify with gender identities outside of or in addition to traditional concepts of the gender binary. Non-binary people are those who do not identify as either male or female, or who identify as both male and female, or who identify as something entirely different.

UNISON welcomes these recommendations. Conference endorses the call for HEIs to take proactive steps to promote trans equality and we call for workplace policies and procedures to be reviewed for unnecessary gendering and made gender neutral unless there is a good reason for them not to be.

Meanwhile, workplace discrimination remains all too common. The 2016 UNISON equality survey found that a quarter of the 4500 members responding had witnessed or experienced unfair discrimination in their workplace. Only a few more members reported this discrimination than the number who kept it to themselves. The reasons for not reporting were concern about being picked on or the issue not being taken seriously. A third of members had experienced a mental health issue triggered by work and a fifth had taken time off because of work related stress. For the trans only slice, a shocking two thirds of members had experienced or witnessed discrimination.

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There were also some positive experiences reported. More than a quarter of all members responding said they are more likely to get involved with UNISON than a year ago. The figure for trans members was a very impressive 50%.

UNISON members' experiences are backed up by Higher Education specific findings. In research published by the Equality Challenge Unit in 2009, 23% of trans staff reported that they had been denied a promotion due to their trans status.

Conference notes that Higher Education workplace reps may not always feel confident addressing transphobia or supporting trans members. Conference therefore welcomes UNISON's bargaining factsheet on trans workers equality and the separate guidance for reps supporting trans members, both of which are regularly updated.

Conference also notes that with increasing numbers of younger people identifying as trans and non-binary, numbers of trans students are likely to be higher than numbers of trans staff. The National Union of Students (NUS) and many students' unions are developing good practice on trans inclusion and may be useful allies for UNISON branches.

Conference calls on the Higher Education Service Group executive to:

1. Promote UNISON's trans workers rights guidance, urging branches to:
 - a) review agreements against the bargaining checklist;
 - b) check policies and procedures for unnecessary gendering; and
 - c) place these on the bargaining agenda;
2. Urge branches to take steps to brief all reps, using the UNISON guide for reps, so they are confident addressing trans equality;
3. Highlight to branches the activist resources available in UNISON's regional LGBT groups and national trans network;
4. Support the call from the Women and Equalities Committee Inquiry for all higher education institutions to provide staff training, proactive steps to promote trans equality and a trans champions scheme, noting that student unions and the NUS are potential allies in this.

National Lesbian, Gay, Bisexual and Transgender Committee

11. Higher Education workers deserve fair pay

Conference notes that members in Higher Education have lost the equivalent of between £1,585 and £8,248 over the last six years, while at the same time having to deliver a professional service despite severe cuts, redundancies, reorganisations and increased workloads.

Members continue to carry out their duties even though their pay has failed to keep up with the cost of living and universities continue to stock pile billions of pounds in banks and foreign assets.

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Conference deplores the constant lack of a decent pay increase in the sector and the lack of a commitment to paying the Living Wage to Higher Education members. We call on the employers to deliver a fair and decent pay increase for all staff. It is time that the Higher Education (HE) employers start to strategically implement measures to eliminate low pay and gender inequality in the sector.

Conference notes the clear signals from our members that they reject derisory pay awards and will fight for what is right and fair.

Conference therefore calls on the Service Group Executive to:

- 1) Seek a pay rise of £1,200 for all pay points;
- 2) Work with regions and branches to campaign for fair pay for HE with other unions and supportive organisations;
- 3) Work with regions and branches to campaign for all universities to be accredited Living Wage employers;
- 4) Prioritise building our organisation within higher education to ensure we are better equipped to influence outcomes on pay for members.

Higher Education Service Group Executive

12. Campaigning for £10/hour minimum wage across higher education

Conference notes that:

- 1) In-work poverty is a major issue facing all trade unionists, which should be given urgent attention if we are to address the welfare and confidence of working people and their dependents.
- 2) UNISON National Delegate Conference (NDC) 2016, (motion 22 as amended) voted to:
 - a) Campaign for a proper living/minimum wage of £10/hour.
 - b) Ensure the campaign is linked in to UNISON's wider anti-austerity campaigning for public services in a way understandable by members.
- 3) UNISON's South East Region has begun to campaign across the South East –
“£10 NOW – Standing together for fair pay.”

The campaign emphasises that “an increase in the minimum wage is welcomed, but we think that the only way of reducing pay inequality is for the national minimum wage to be £10 NOW!”

- 4) Across the Higher Education sector, even with the enhanced increases built into the derisory 2016-17 pay award, the vast majority of directly employed workers at grades 1 and 2 will take home less than £10/hour. It is likely that all agency and outsourced workers will be living on poverty pay, in many cases for working unsocial hours.
- 5) As a very rough estimate, it is probable that around 10% of existing members across the sector are earning less than £10/hour.

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- 6) Campaigns led by the lowest paid members in higher education have been inspirational and demonstrated that where workers are united, then gains can be made, and stewards and new members recruited.

Conference therefore calls on the Service Group Executive to:

- a) Adopt the call made at NDC to campaign for a proper living/minimum wage of £10/hour across the higher education sector for all directly and indirectly employed workers.
- b) Make the campaign for £10/hour central to future national pay negotiations.
- c) Publicise the £10/hour policy as widely as possible, using it as a recruitment aid and demonstrating our commitment to ending poverty pay.
- d) Report back to 2018 Service Group Conference on progress made.

University Of Brighton

13. Member-led Democracy

UNISON takes pride in being a member-led, democratic union. It is in this spirit that conference notes with concern the decision taken by our Higher Education Service Group Executive (HESGE) to overturn the democratic decision taken by our members in the 2016 ballot over pay. This decision also overturned the mandate set at this conference last year.

We believe this decision has significantly weakened our position in negotiations with our employers and that it may discourage those members who did vote from doing so in the future.

Our members must have confidence that UNISON will stand up for them when their pay, pensions, terms and conditions are under threat. If we are to successfully fend off attacks from our employers over pay, and improve our working conditions in relation to other matters, observing the democratic will of our members when we vote on an issue of such importance as industrial action is integral to our negotiating position.

This conference notes:

Firstly, its disappointment that the Higher Education Service Group Executive felt unable to take strike action after securing a 'yes' vote in the 2016 pay ballot. Whilst we recognise that the turnout was low, as is often the case, this should not have overridden UNISON's fundamental principle of being a democratic, member-led union. We further note that the turnout in the 2014 pay ballot, when we took strike action, was similar to the 2016 turnout.

Secondly, whilst we recognise that sometimes collective responsibility for decisions is appropriate, we also acknowledge the frustrations of members who question why a democratic majority decision was overturned. We believe members deserve to know how their elected representatives vote on major issues, such as industrial action.

This conference:

- 1) Calls on the HESGE to continue efforts to coordinate between unions in the HE pay negotiations, with a view to organising joint action (up to and including lawful industrial

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action in line with UNISON rules) at key points in the academic calendar, in order to secure a substantial pay increase for our members.

- 2) Calls on the HESGE to publish the breakdown of votes on significant issues such as industrial action and allow its members to openly declare how they vote, should they wish to do so.
- 3) Pays tribute to the members of the HESGE who voted in line with the democratic will of the membership.

Manchester Metro University

Organising and Recruitment

14. Organising and Recruiting in Higher Education

Conference notes that the higher education system in the UK is undergoing unprecedented and damaging reforms and changes. Along with severe job losses, outsourcing and restructuring the sector faces numerous challenges as we see increasing marketisation. These challenges have a direct impact on the way we organise and recruit in workplaces. Yet we know that when we are engaged in campaign activity such as the recent Higher Education (HE) pay dispute, recruitment becomes easier. After all, everyone wants to be part of an active union.

Conference also notes there are a number of members who work in workplaces where it is hard to organise such as those places where union hostility is evident and UNISON density low. In some cases, the barrier is simply a lack of key resources such as access to Fighting Fund Organisers (FFO) who we know are worth their weight in gold. Conference notes the excellent work that has been done by FFOs and recognises how they could be a valuable asset to HE branches recruiting in difficult and hard to reach areas.

We should aim to recruit over 100,000 potential members in the HE sector to boost union density and to fight any possibility of de-recognition. As well as building our density we must build the number of trade union activists in order to build strong self reliant branches.

Conference is therefore calling on the Higher Education Service Group Executive (HESGE) to:

- 1) Develop organising and recruitment training that is specific to Higher Education.
- 2) Encourage branches to share experience to develop good practice.
- 3) Develop a recruitment toolkit to aid recruitment in the sector.
- 4) Develop partnership working with branches and regions to identify achievable and measurable organising targets.
- 5) Encourage branches to work in partnership within their region to make the best use of resources to aid recruitment and increase UNISON density.

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15. Organising Outsourced Workers

Conference believes that keeping existing services in-house should be the default position for higher education employers on the grounds that in-house services offer better quality, accountability, efficiency and social value to universities, workers and students. Conference also believes that workers employed by contractors should benefit from union recognition and collective bargaining to defend and improve jobs, pay and terms and conditions of employment.

Conference notes that UNISON's most recent Freedom of Information request asked whether universities contracted out any catering, cleaning or security services and whether a minimum pay level was stipulated in the contract. 140 universities provided information on all three services:-

- a) 36 universities (26%) did not contract out any services.
- b) 81 universities (57%) contracted out cleaning to some extent. 40 of these universities said that they stipulated a minimum pay level in the contract.
- c) 63 universities (44%) contracted out catering to some extent. 36 of these universities said that they stipulated a minimum pay level in the contract.
- d) 78 universities (55%) contracted out security to some extent. 42 of these universities said that they stipulated a minimum pay level in the contract.

Conference, therefore, calls on the HESGE to:

- i) Continue to campaign for existing services to remain in-house as a default position for all university services;
- ii) Continue to work with universities to move outsourcing and privatisation contracts away from the 'price or cost only' award criteria, which has fuelled the race to the bottom on workforce pay and conditions;
- iii) Seek ways to develop and implement learning agreements to support training needs.
- iv) Develop a national Higher Education strategy to develop recruitment and organising plans in private companies in the sector;
- v) Continue to promote the UNISON branch Guidance "Privatisation and Shared Services in Higher Education – a UNISON Organising Guide";
- vi) Endeavour that where there are outsourced workers in HE that there is union recognition, collective bargaining and that the Living Wage Foundation rate is applied;
- vii) Advise and support branches on negotiating and organising campaigns. Ensure that any contracts include a commitment to pay the Foundation Living Wage, ban the use of zero hours contracts and protect terms and conditions for members and provide organising and recruitment opportunities;
- viii) Continue to work with both the private sector and not for profit sector to promote socially responsible procurement, the accredited Living Wage and trade union recognition;

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- ix) Explore the possibilities of organising a series of webinars for branches, activists, organisers on recruiting and organising in outsourced services and on negotiating and pay in outsourced services;
- x) Explore organising seminars for outsourced workers in HE;
- xi) Promote equalities and training and development for workers in outsourced services;
- xii) Work with employers to provide basic skills training and English language courses.

Higher Education Service Group Executive

Efficient and Effective Union

16. The future Higher Education Service Group within the union

Conference notes the increasing overlap between some of the services provided in Higher Education (HE) and Further Education (FE), with FE Colleges starting to deliver degree level courses.

The future of post 16 education may possibly be joined further with the creation of higher apprenticeships, which is likely to see HE and FE institutions working in partnership to deliver these. Additionally the development of 'shared services' arrangements between college and universities in some areas increases the areas of overlap further.

Being aware of this and previous changes to the union in organisational and branch structures, Conference further notes the content of motion 15 'Representation of Members within Further Education' submitted to the 2016 National Delegate Conference by City and Islington College.

The motion stated that the interests of UNISON members working in Further Education would be better served by their inclusion within a joint service group covering post-16 education including Further Education colleges, Sixth Form colleges and Universities.

It noted the reserved powers of the National Executive Council (NEC) under rules D 3.1.2 and D 3.1.3 to determine which sections of the membership of the union fall within the scope of each Service Group of the Union, to authorise the creation of additional Service Groups or to vary the allocation of members to Service Groups, but shall do so only after consultation with the Service Group or Groups concerned.

It then called upon the NEC to

- 1) Launch a consultation with all relevant sections of the union, including the Local Government Service Group, Higher Education Service Group, National Further Education and Sixth Form Colleges Committee, Regional Further Education and Sixth Form Colleges Forums, and standalone or combined Further Education College branches, over how support staff in Further Education can be most effectively recruited to, represented by and organised by UNISON within the existing service group structure of the union and/or whether any changes to the composition, boundaries and name of any of the existing service groups is necessary in order to best achieve these aims;
- 2) Arrange a conference open to all members working in post-16 education to feed into the consultation process and to discuss issues of joint concern and interest to staff working in post-16 education;

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3) Take forward as appropriate any recommendations arising from this consultation.

In the event the motion was not heard because of time constraints. However, as this was a prioritised motion, it is possible the NEC may include it in its work plan.

Conference believes it is important that the union has suitable structures and organising arrangements for members in their workplace to ensure good representation both locally and throughout the union.

Therefore, in the event that the NEC seeks to undertake the requests made in points 1 to 3 above, conference calls upon the Higher Education Service Group Executive (HESGE) to:-

- a) Seek to work with and influence the NEC to ensure that the voices of HE members are heard equally with those of FE members in any recommendations relating to possible changes under rules D 3.1.2 and D 3.1.3;
- b) In undertaking point a), seek to ensure that should any proposals brought forward by the NEC do not dilute the current national and regional representational arrangements within the union.

Regardless of any steps taken or not taken by the NEC on the issues raised above, Conference also calls upon the HESGE to;

Work within the existing structures of the union, to consider options for collaboration on issues of joint concern affecting UNISON members working in Post 16 Education as a whole, this could also include the possibility of joint training events and seminars, whilst also respecting the independence of each sector and its respective bargaining arrangements.

South West Region

17. Higher Education (HE) Pay Ballot for strike action Sept 2016

Conference notes that Higher Education members were balloted for strike action after employers failed to improve on a 1.1% pay offer for the majority of staff. The Higher Education Service Group Executive (HESGE) recommended that members vote 'YES' for strike action in the September 2016 HE Pay Ballot.

During the campaign, the growing pay inequality in the sector was highlighted to members with a salary calculator that clearly identified how far their salaries had fallen behind the cost of living. Branches across HE launched events and engaged with their membership pushing for a 'YES' vote for strike action. Using the loss of salary calculator tool at these events, members were shocked to discover that their pay had fallen behind inflation by many thousands of pounds over several years. It was also noted that the current pay offer was not even enough to cover the 2016 increase in employee statutory pay deductions in most cases.

The pay ballot, held in accordance with applicable law, returned a 'YES' vote of 54.9%.

A statement was then issued following a meeting of HESGE:

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"UNISON's HESGE met on 20 September to discuss the results of the industrial action ballot on the 2016/17 national pay offer. A long and considered discussion took place, which took into account the close vote in the ballot, a disappointing turnout and the knowledge that it was likely that if UNISON did take strike action it would not be with all other unions, due to notable differences in positions and timetables."

This decision caused consternation in branches with many members left confused by the apparent derogation of a properly taken democratic mandate.

When following up for more information, branches appeared to be being 'fobbed off' with no information on HE membership numbers, hypotheticals and broad assumptions that those not voting were saying "no".

This motion calls on Higher Education Service Group Executive to:

Arrange an independent review of its actions in relation to its response to the pay ballot which:

- 1) makes recommendations regarding accountability;
- 2) allows for lessons to be learned;
- 3) considers how to better communicate decisions to branches and to members;
- 4) Considers the implications for future ballots now that the precedent of overturning a democratic vote has been set;

West of Scotland University

Motions Ruled Out of Order

Beyond remit of the Conference

A) Timing of Higher Education (HE) Conference

This conference notes that:

- a) Branches should feel fully involved in the formulation of the new Joint Negotiating Committee for Higher Education Staff (JNCHES) pay claim or in the organisation of the pay campaign. Currently, the Higher Education (HE) Service Group Executive (SGE) pay motion is presented to delegates at the HE Branch Seminar in October and allows little time for branches to consider the content, leaving branches with the possibility of amendments to the SGE motion.
- b) At the 2002 Higher Education conference a motion was carried which proposed moving the conference to earlier in the year, so that conference can agree what the pay claim should be before it is submitted.
- c) Discussions with sister trade unions as part of the 2016/17 pay claim highlighted that other unions wish to press the issues with employers earlier in the pay cycle and that holding our conference in late February / March places restrictions on our ability to put together a joint trade union position on pay in a timely fashion at the start of the process.

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This conference calls on HESGE for 2018 and future HE Conferences to:

- 1) Include branches and their members in the timely formulation of the pay claim and in organising the campaign.
- 2) Move the higher education conference to January so that branches can involve and consult their members in formulating the pay claim, the results of which can be discussed and agreed at conference to enable collaborative work with sister trade unions and the formulation of a joint trade union side pay claim.

Higher Education Service Group Executive

Could place the union in legal jeopardy

B) Forfeiture of Honorary Fellowships

Not printed on the advice of the legal officer

Liverpool John Moores Univ

In breach of the agreement on the political fund

C) A commitment to free education for all

Conference notes that:

- 1) Previous Higher Education Service Group conferences have overwhelmingly supported the principle of education at all levels being free and funded through general taxation.
- 2) The February 2016 conference passed a motion to commit the Service Group Executive to “reaffirm, wherever possible UNISON’s commitment to campaign for free education” and to “produce specific higher education recruitment material” based on “clear and attractive policies”.
- 3) The concept of a free higher education system has mass support amongst young people, as evidenced by the disappointment of college students and young adults to the Liberal Democrat U-turn in coalition, and the sustained support given to Jeremy Corbyn as Labour leader, from young people in particular.
- 4) In the spirit of past motions, material produced by UNISON, on the national website and elsewhere, should clearly identify a commitment to free education, and a positive image that would be attractive to existing and potential young members across the sector.
- 5) The fact that tuition fees are now established, is not an obstacle in terms of campaigning for their removal. The labour movement should strive to actively campaign for real, substantial change that will benefit working people.

Conference therefore calls on the Service Group Executive to:

- a) As a matter of urgency, produce publicity material, aimed at young workers, which supports the programme of free education, abolition of tuition fees, a reintroduction of student grants and the writing off of all student debt.
- b) Contact all interested bodies (other trade unions, National Union of Students (NUS), the Labour Party) to discuss jointly and consistently campaigning for free education.

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- c) Report back to conference in 2018 with the results of such a campaign and how it could be progressed into the future.

University Of Brighton

Not internally consistent

D) Motion Prevent

The Counter Terrorism and Security Act 2015 came into force in March 2015 and includes a provision called the Prevent Duty which places a general requirement on higher education institutions to have due regard for the need to prevent people from being drawn into terrorism. However, the Duty places a specific requirement on staff to make judgements on student behaviour that we believe are highly subjective and could lead to racial profiling.

This conference believes that Prevent will harm the fundamentally important relationship between staff and students at university. University staff are there to help provide an environment for learning, not to spy on students.

This conference calls on the Higher Education Service Group Executive to:

- 1) Publicly oppose the Prevent Strategy and liaise with the NUS, other campus unions and other service groups within UNISON to campaign for an immediate review and overhaul of the Prevent Strategy and the Counter Terrorism and Security Act 2015 of which it is part;
- 2) Encourage, train and support branches with guidance and advice on refusing to engage with the Prevent Strategy. This should include advice on protecting staff who face disciplinary action for refusing to engage in the strategy, as previously passed as policy at this Conference in 2012.

Manchester Metro University

Not sufficiently clear

E) Removal of international students and The European Union (EU) students from immigration figures

Notes:

That other nations who are competitors in the global marketplace for international students do not currently include international students in their immigration policy, e.g. Australia and Canada.

The market for both international and EU students is a vital part of the UK influence globally at the present time;

International students bring significant positive impacts to the UK economy both in the short term in the form of direct income from student fees and in the form of subsequent investment in the UK economy.

In 2008-09, according to the UK Council for International Student Affairs (UKCISA), international tuition fee income to the UK was worth over £4 billion: £2.4 billion for HE, £139 million for FE and £880 million for English language tuition.

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The UK benefits from the global connections which international students generate. Many of the main source countries are also key export markets (and foreign policy priorities) including China, India, the USA.

Believes:

That international students are being targeted with repressive immigration policies because they are an easy group to target to reduce overall immigration.

That the effects of Brexit and current immigration policy have a significant negative effect on the UK market for international students; and

That Brexit will lead to negative impacts on EU student recruitment in the higher education sector.

Resolves:

To advocate that:

international students and EU students should be removed from the immigration figures, to ensure that this vital market for UK universities is protected from changes to immigration policy.

rules on international students staying in the UK after graduation be relaxed, as this will boost recruitment and help the UK economy.

Oxford Brookes University

Received twice

F Member-led Democracy

UNISON takes pride in being a member-led, democratic union. It is in this spirit that conference notes with concern the decision taken by our Higher Education Service Group Executive (HESGE) to overturn the democratic decision taken by our members in the 2016 ballot over pay. This decision also overturned the mandate set at this conference last year.

We believe this decision has significantly weakened our position in negotiations with our employers and that it may discourage those members who did vote from doing so in the future.

Our members must have confidence that UNISON will stand up for them when their pay, pensions, terms and conditions are under threat. If we are to successfully fend off attacks from our employers over pay, and improve our working conditions in relation to other matters, observing the democratic will of our members when we vote on an issue of such importance as industrial action is integral to our negotiating position.

This conference notes:

Firstly, its disappointment that the Higher Education Service Group Executive felt unable to take strike action after securing a 'yes' vote in the 2016 pay ballot. Whilst we recognise that the turnout was low, as is often the case, this should not have overridden UNISON's fundamental principle of being a democratic, member-led union. We further note that the turnout in the 2014 pay ballot, when we took strike action, was similar to the 2016 turnout.

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Secondly, whilst we recognise that sometimes collective responsibility for decisions is appropriate, we also acknowledge the frustrations of members who question why a democratic majority decision was overturned. We believe members deserve to know how their elected representatives vote on major issues, such as industrial action.

This conference:

1. Calls on the HESGE to continue efforts to coordinate between unions in future HE pay negotiations, with a view to organising joint action (up to and including lawful industrial action in line with UNISON rules) at key points in the academic calendar, in order to secure a substantial pay increase for our members.
2. Calls on the HESGE to publish the breakdown of votes on significant issues such as industrial action and allow its members to openly declare how they vote, should they wish to do so.
3. Pays tribute to the members of the HESGE who voted in line with the democratic will of the membership.

Manchester Metro University