



Higher Education Service Group Conference

Preliminary Agenda

Nottingham
10 January 2019

(Motions contained in this agenda will be debated on
Thursday 10 January 2019)

2019 Higher Education Service Group Conference

UNISON PRELIMINARY AGENDA

Negotiating and Bargaining

1. Ten years of delaying, where is our 35 hour week - *University Of West Of England*
 2. Ten years of delaying, where is our 35 hour week? - *Higher Education Service Group Executive*
 3. Higher Education Service Group Executive Pay Motion 2019/20 - *Higher Education Service Group Executive*
 4. Improving Well-Being; Reducing Sickness: Towards Best Practice - *Aberystwyth University*
 5. The university belongs to us all - *Manchester Metro University*
 6. Fighting for a £10 an hour minimum level of pay - *Manchester Metro University*
 7. Fair Work convention in Scottish Campuses - *Scotland Region*
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Organising and Recruitment

8. University Sponsorship of Academies in England - *Higher Education Service Group Executive*
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Campaigning

9. Defend our Pensions - *University of South Wales*
10. Defending Our Pensions - *Higher Education Service Group Executive*
11. Outsourced Workers in Higher Education Institutions - *National Women's Committee*
12. Campaigning Against the Marketisation of Higher Education in England - *Higher Education Service Group Executive*
13. Supporting members with mental health problems - *Higher Education Service Group Executive*
14. Transparency and fairness in University governance - *Cymru/Wales Region*
15. Inclusive workplace policies - *National Lesbian, Gay, Bisexual and Transgender Committee*
16. Challenging Racial Discrimination in Higher Education - *National Black Members' Committee*
17. Boosting our campaign for fair pay - *Manchester Metro University*

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Motions Ruled Out of Order

Beyond remit of the Conference

- A) Workloads and poor mental health - *Cardiff University*
- B) Brexit: We don't need a people's vote, we need a national vote - *London School of Economics*

Could place the union in legal jeopardy

- C) Industrial action ballot tactics for the 2019-20 pay campaign and beyond - *University Of Brighton*
Not printed on the advice of the legal officer

Received past the deadline

- D) Use of Zero Hour Contracts in Higher Education - *Yorkshire - Humberside Region*
- E) Mandatory Gender Pay Gap reporting in Higher Education Yorkshire and Humberside reveals on average a 16 % Mean Pay Gap and 17% Median Pay Gap between men and women in the region - *Yorkshire - Humberside Region*
- F) Unison Membership for Precarious Workers - *University Of Bristol*

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Crowne Plaza Hotel

10 Jan 2019

Negotiating and Bargaining

Negotiation and Bargaining

1. Ten years of delaying, where is our 35 hour week?

Conference is aware that in 2008 a 35 hour week for all HE staff had continued to play a large part in pay negotiations having noted in the previous three year pay agreement that "the unions aim to achieve a maximum standard working week of 35 hours by 2009".

In June 2008, UCEA published the results of a survey called "Conditions of Employment in Higher Education". The survey covered 86 out of 108 institutions and showed that the median basic working week for support staff with specified hours is 35 hours. In total, 40.8% of institutions have a standard 35 hour working week. In pre-1992 universities 48.9% have achieved a working week of 35 hours compared to 24.4% in the post-1992 universities.

Over the years since then, the 35 hour working week continued to play a part in the joint pay claim and the employers continued to deflect the issue. To rub salt into the wounds, the employers continue to refer to a 35 hour working week when calculating their compliance with the foundation living wage.

Conference believes that enough is enough and that because 2019 marks the 10 year anniversary and because the employers are relying on this, then they need to deliver on it.

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

- 1) include the requirement of a standard 35 hour working week as a separate part of this years pay negotiations.

If it is not included in the joint pay claim or if the employers further seek to deflect the issue as an issue for local bargaining then conference further calls on the HESGE to:

- a) seek to work jointly with other HE Trade Unions to mount and coordinate a separate national campaign of local bargaining on the issue of a standard 35 hour working week.

and

- b) produce materials to include guidance on negotiating and achieving this locally.

University Of West Of England

2. Ten years of delaying, where is our 35 hour week?

Since 2008 a 35 hour week for all HE staff has been a key element in the joint union pay claim. This followed on from the three year pay agreement, which noted in the

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final agreement: "The unions' aim to achieve a maximum standard working week of 35 hours by 2009".

In June 2008 the Universities and Colleges Employers Association (UCEA) published the results of a survey called "Conditions of Employment in Higher Education". This survey covered 86 institutions and showed that the median basic working week for support staff with specified hours was 35 hours a week. In total, 40.8% of institutions had a standard 35 hour week. In pre-1992 universities 48.9% had achieved a working week of 35 hours compared to 24.4% in the post-1992 universities.

Over the years the 35 hour working week has continued to be a part of the joint pay claim with the employers' refusing to discuss the issue nationally. To rub salt in the wounds, the employers continue to refer to a 35 hour working week when calculating their compliance with the foundation living wage.

Conference believes that enough is enough - 2019 marks the 10 year anniversary of the claim.

Conference calls on the Higher Education Service Group executive (HESGE) to:

- 1) Include the requirement of a standard 35 working week as a separate part of this year's pay negotiations.

If it is not included in the joint pay claim, or if the employers refuse to discuss it nationally; then Conference further calls on the HESGE to:

- A) Seek to work jointly with the other HE trade unions to mount and co-ordinate a separate national campaign of local bargaining on the issue of 35 hour standard working week.
- B) Produce materials to include guidance on negotiating and achieving this locally.

Higher Education Service Group Executive

3. Higher Education Service Group Executive Pay Motion 2019/20

The continuing erosion of the pay of higher education support staff is a stain on the sector and flies in the face of assurances by employers that they value their workers.

It is scandalous that the Government's national living wage is approaching the bottom of the Joint Negotiating Committee for Higher Education Staff (JNCHES) pay scale, whilst the real 'Foundation Living Wage' (FLW) is a dream for many low paid Higher Education (HE) staff. Real terms earnings growth has been limited over the last decade and non-existent since the recession. In-work poverty has become one of the most important challenges we face.

In recent years student numbers have increased in most HE institutions, whilst staff cuts and redundancies have led to expanding workloads for the remaining staff. Yet only Vice-Chancellors and other senior staff have seen hefty rewards.

It is time to "Catch Up". Time to make up for the lost ground; following years of below inflation pay awards. Awards that don't match increased shop prices, utility

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bills and housing costs. We need to “Catch Up” on national pay and improve local terms and conditions. It is time for an end to insulting and derisory pay offers.

The HE sector continues to be blighted by the gender pay gap and there is a persistent ethnic pay gap that needs to be closed as a matter of urgency.

Conference calls on the Service Group Executive to pursue in the union negotiations that produce the joint claim the following points:

- 1) Negotiate a consolidated one year pay award of retail price index (RPI) + 3%, or a lump sum of up to £3,349 for those on a 37 hour week (whichever is greater) to achieve a minimum hourly rate of £10 an hour for all staff.
- 2) Negotiate an RPI +3% consolidated increase on London Weighting and all other allowances negotiated nationally. Work with branches to seek to negotiate a similar rise in all appropriate local allowances.
- 3) The introduction of a maximum 35 hour working week for all HE staff.
- 4) Establish a Scottish sub-committee of the New Joint Negotiating Committee for Higher Education Staff (JNCHES) as set out under the New JNCHES Agreement. The main purpose of the sub-committee would be to deal with matters not currently being dealt with at the New JNCHES Committee.
- 5) Step up the campaign to eliminate the gender pay gap working with regions, branches and sister trade unions. Seek to work with the employer where possible aiming for transparency and full sharing of data at both a national and local level.
- 6) Highlight the ethnic pay gap in the sector and recognise the impact of intersectionality on the pay gap. Campaign to encourage universities to improve how they capture information on the ethnicity of staff.
- 7) Identify and write to all non accredited Living Wage employers reminding them of the moral and business case of why they should apply for Living wage accreditation and demand that they do so.
- 8) Where it is suspected that HEI claiming to be accredited are not ensuring all staff, including outsourced contractors, are being paid the FLW, submit Freedom of Information requests as appropriate.
- 9) Highlight and campaign against those HE employers whose Vice-Chancellors and senior leaders receive above inflation increases, whilst the pay of the rest of their staff is held down.
- 10) In the event that the joint pay claim is not met by the employers, seek to coordinate lawful industrial action in conjunction with fellow Higher Education trade unions, with a clear plan for escalating lawful industrial action to strengthen the campaign, in accordance with UNISON rules relating to industrial action.

Higher Education Service Group Executive

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4. Improving Well-Being; Reducing Sickness: Towards Best Practice

Conference notes that absence due to sickness has a significant impact both on the employer and the employee. A recent report by the Office of National Statistics shows that the absence rate has improved over recent years but that there is still a long way to go with an average of 4.3 days lost per worker every year. However, within the HE sector, the number of days is at least double.

The most common causes of sickness absence are minor illnesses such as coughs and colds, followed by musculoskeletal problems. Mental health issues, including stress, depression, and anxiety, were the next highest, accounting for around 12% of all days lost.

Some of the highest levels of absence reflect much of our typical membership: those working in larger organisations, and those working in manual and support roles, women, and part-time workers.

Beyond the economic impact to the employer, there can be significant impacts on the employee including being overlooked for promotion, difficulties in keeping informed about workplace developments, concerns about impact on colleagues, and missing out on the peer-support side of being in work.

Health and well-being provision across the Higher Education (HE) sector varies widely with some employers providing a wide range of initiatives while others pay little more than lip-service. Therefore, we believe that there is a need to bring all universities up to a level which minimises the impact of sickness absence in a way that improves the situation both for the employer and for our members.

As a collaboration between Human Resources (HR), the recognised unions, our sports facilities, and our food outlets, Aberystwyth University has developed a Corporate Health Strategy which has seen major benefits, especially a reduction in our sick leave figures. Having union involvement has given staff a feeling of ownership rather than it being something management are pushing them into. For example, lunchtime exercise classes have been shortened to 45 minutes with staff allowed to take a longer break to attend them; we have regular healthier-food promotions; and health and well-being events are held throughout the year incorporating workshops on subjects such as sleep health, managing change, mental health awareness, and cancer at work as well as treatment sessions including massage, reflexology, and seated stretching.

We therefore call upon the HE Service Group committee:

- 1) To seek to establish current sickness absence figures for all UK universities.
- 2) To investigate current well-being provision in each university.
- 3) To consider whether there may be a link between sickness levels and the level of well-being provision.
- 4) To use this research to develop best practice guidance to branches.

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- 5) To encourage branches to engage with universities to implement best practice well-being strategies.

Aberystwyth University

5. The university belongs to us all

Conference believes that democratic governance of our universities is vital so that all staff and students can participate fully in how their institutions are run.

Conference instructs the Service Group Executive to develop a toolkit and to actively campaign for good democratic governance based on the following principles:

- 1) Governing bodies and all relevant sub-committees should be representative of the diverse communities that each university serves.
- 2) Boards of Governors should be fully elected and ensure representation of diverse local community groups, as well as including seats for staff representatives.
- 3) Staff and students should have an official voice through the creation of a 'General Assembly' that is part of the formal structures of governance of the institution.
- 4) Democratic elections should be held for all chairs of university committees within the formal structures of governance; for heads of academic department/schools; for deans and Pro-Vice chancellors or their equivalent, and for Vice-Chancellors or their equivalent.
- 5) Vice-chancellors should never sit on remuneration committees which decide their pay, but there should always be staff representative seats on such committees.

Manchester Metro University

6. Fighting for a £10 an hour minimum level of pay

Conference notes that there is a lot of money to be made out of Higher Education – just look at the expansion of obscenely high salaries for our Vice-Chancellors and executive managers, and the large reserves held by many universities. If you're a cleaner, caterer, or receptionist however, you don't get a fair share of that wealth. Many workers in Higher Education are paid so little that they have to work two or three jobs to make ends meet.

Conference notes news reports over the last few years stating that over half of those living in poverty are living in 'working households', and a TUC survey found that one in eight workers is struggling to afford food, one in six has left the heating off while they're cold in order to save money.

Conference believes poverty pay damages our workforce and we cannot accept the sinking conditions our middle and lower income members find themselves subject to.

For all the problems we have in the Higher Education sector, universities should be forces for social good. As such, this sector should resolutely reject poverty pay for anyone who works within it.

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The UK is one of the richest countries in the world, and Higher Education plays an important part in powering that economy. Those who work to provide that service should not have to live in poverty.

The demand for a £10 an hour minimum wage is a popular one, and one that can galvanize support for the union. It formed a key pledge of the Labour Party manifesto in the 2017 general election, and workers at McDonald's, organised by the Bakers', Food and Allied Workers Union (BFAWU), have even taken action for the demand. If we put the demand for £10 an hour at the centre of our pay campaigns, we will enthuse many lower paid workers to join the union and join the fight for fair pay.

This conference resolves that the Higher Education Service Group Executive should:

- 1) Establish an ongoing campaign to fight for a £10 per hour minimum pay level in Higher Education that runs concurrent but complements our usual pay campaigns. The campaign should focus on the social injustice of low pay.
- 2) Produce publicity highlighting the disparity between the lowest and highest paid in Higher Education, and how a £10 an hour minimum pay level would help begin to address that inequality.
- 3) Publicise pertinent struggles of workers in other sectors who are campaigning for better pay and an increased minimum wage, and look for ways to work with groups striving towards a £10 per hour minimum wage.
- 4) Work with Labour Link as appropriate to ensure that this demand is represented within the Labour Party.

Manchester Metro University

7. Fair Work convention in Scottish Campuses

Conference recognises that there is a commonality in the Scottish Higher Education system which has now been acknowledged by the Scottish Trade Unions (STUC), National Union of Students (NUS) Scotland and Universities Scotland with the creation of a forum where representatives from all three bodies meet to discuss issues of common interest.

Scottish Higher Education is in a unique situation in relation to the attention and support received from Scottish Government policies, particularly in relation to its commitment to investment and reform of the student support system, changes to governance legislation and the development of the Fair Work Convention / Developing Scotland's Workforce.

Conference believes that it is time for the harmonisation of the terms and conditions for staff within the sector working in Scotland. While the creation of the STUC / NUS / Universities Scotland forum is a positive step forward it does not go far enough as it will not be able to directly tackle issues related to terms and conditions.

Conference therefore calls upon the Higher Education Service Group Executive to press the Universities & Colleges Employers Association (UCEA), and Scottish

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Government, for a commitment to work in the Scottish sector to promote the best employment terms and conditions for Scottish Universities.

This will:

- 1) Promote fairness and equality in terms and conditions for all Higher Education sector members in Scotland.
- 2) Amalgamate the best practices from each establishment to ensure a “gold standard” in relation to the recognised policies e.g. the working week, annual leave entitlement, sickness policy.
- 3) Ensure that members, and their interests, are recognised as an intrinsic and important part of developing Scottish University objectives which seek to enhance and support students studying within our establishments.
- 4) Allow focus and debate in an open and dedicated forum to enhance partnership working.

Scotland Region

Organising and Recruitment

Recruitment & Organisation

8. University Sponsorship of Academies in England

It is a matter of public concern that as a result of the Education Act 2011 in the UK Parliament, we have witnessed the acceleration of the programme to convert local authority primary and secondary schools into academies.

The failings of the academy project have been widely reported and at times have scandalised the notion of public services run for the good of our communities.

Our fellow public service workers in the primary and secondary schools system, whether organised by UNISON or other sister trade unions, have seen their terms, conditions, wages and pensions decimated in the race to provide our children's education on the cheap.

More recently, we have seen Government incentives offered to higher education institutions to become involved in the academies system, as sponsors of individual or chains of academies, university technical colleges (UTCs) and free schools.

University links to primary and secondary education are not new and have the potential to deliver benefits in widening access to Higher Education (HE), aspiration raising for young people and fostering educational communities.

Higher Education Funding Council for England (HEFCE) reported in October 2016 that the take-up of sponsorship by universities was on a relatively small scale and presented a number of unforeseen challenges.

There is the potential for shared services arrangements (i.e. security, cleaning, facilities management) to be exploited by Higher Education Institutions (HEIs), which

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seek to combine these higher education services with those in primary and secondary schools.

Conference further notes:

As trade unionists we seek the greatest transparency of our own institutions, with the wellbeing of the workforce and students prioritised. We therefore recognise the need for school and college pupils, students and staff to seek the same.

As staff we do not stand by while our institutions seek to maximise profits at our expense – nor should we expect school staff tolerate the same. For HEIs involved in academy sponsorship there will be potential governance and management influence, which may include influence over staff terms and conditions.

The National Education Service policy framework as outlined by the Labour Party sets out a positive vision for cradle-to-grave education provision, free at the point of use, from early years to further, higher and adult education. Crucially, this calls for increased accountability in our schools, with the return of democratic, local accountability of our schools in order that they serve the local community in the public interest.

Conference calls on Higher Education Service Group (HESGE) to:

- 1) Gather information about the scale and scope of HE sponsored academies, UTCs and free schools.
- 2) Work with local university branches of UNISON to identify issues for members as a result of sponsorship activity by their HEI.
- 3) Re-issue policy guidance and campaigning materials relating to shared services, as pertinent to this issue.

Higher Education Service Group Executive

Campaigning

9. Defend our Pensions

Conference notes the ongoing attack on our defined benefit pension schemes and believes that as pensions are deferred pay then any cut to our pension schemes is a direct attack on terms and conditions.

Conference sends solidarity to those branches such as Staffordshire University branch that are undertaking escalating industrial action to stop the removal of their access to the Local Government Pension Scheme (LGPS) pension scheme and to those branches that are campaigning hard to dissuade their universities from even entertaining the idea of doing the same.

Conference believes that access to a decent defined benefit pension scheme is of the highest priority for our union and that Universities that are removing said schemes are not acting in the best interests of staff or the long term interests of said universities.

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Conference therefore calls upon the Service Group Executive to:

- 1) Develop a union wide campaign that also takes into account the devolved nations different governance arrangements that seeks to stop any removal of DB pension schemes in favour of poorer Defined Contributions schemes.
- 2) Develop an organising strategy and guidance that can be sent to branches to help argue against any changes.
- 3) Work with UNISON Pension's unit to develop fact sheets to help our members understand how our pensions work and why it is essential we retain access to decent pension schemes. This should include the need for member involvement with any campaign and can't be driven by a branch committee alone.
- 4) Work with UNISON Labour Link to campaign for manifesto commitment from the Labour party to support defined benefit (DB) pension schemes in Higher Education.

University of South Wales

10. Defending Our Pensions

Conference is aware of the repeated attacks that have been made on the pension schemes within the Higher Education (HE) sector over the past years.

The Local Government Pension Scheme (LGPS), Teachers Pension Scheme (TPS), Universities Superannuation Scheme (USS) and local Self-Administered Trusts (SATs) have all seen changes over the past ten years.

Conference is concerned about a developing trend that propagates the myth that these schemes are gold plated and not sustainable because of their costs.

Pensions are deferred pay. The employers are trying to cut this deferred pay by worsening the schemes and reducing the benefits to members, while at the same time a large number of Vice-Chancellors bolster their own pension pots.

There have been a number of studies that show significant fund management costs. Yet instead of tackling these costs and meeting requirements that funds are run in the best interests of the members, it is the members who are being attacked and their benefits targeted.

Conference agrees that we have a responsibility to defend and seek to improve hard fought for terms and conditions including pensions. If we do not take a more proactive approach to tackling these threats, we will continue to see benefits eroded, or schemes closed to new entrants - creating a two tier environment.

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

- 1) Work with the national pensions unit to produce fact sheets on relevant pension schemes. These to include myth busting guidance to counter employer and media led attacks.

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- 2) Run pension scheme briefings and training sessions as part of the higher education branch seminar programme which can then be delivered back in branches.
- 3) Raise our concerns at the Joint Negotiating Committee for Higher Education Staff (JNCHES) Pension Discussion Group.
- 4) Seek to work jointly with the other HE trade unions to mount a counter attack - promoting the value of pension schemes and challenging wasteful fund management.

Higher Education Service Group Executive

11. Outsourced Workers in Higher Education Institutions

Conference notes that outsourcing in universities and higher education institutions is on the rise. While some see this as a money saving exercise, it is not. It is unethical, promotes bad and unfair working practices. Some research has shown that outsourcing can push up student fees, making it unfair on staff and students. The aim of eradicating unethical employment practices is a laudable one and the Higher Education Service Group Executive should be fully supporting any work undertaken by branches in this area.

As trade union activists, we all need to be aware of outsourcing and do what we can to eliminate it. For example branches should be encouraged to work with their employers to negotiate and implement:

- a) Ethical Employment Champions.
- b) Whistle blowing processes that identify instances of unethical employment practices in the supply chain.
- c) Appropriate questions being included in the tender process that address ethical employment.
- d) No more use of Zero Hour Contracts.
- e) An agreement that all suppliers allow Trade Union representatives to access and organise workers.

Conference calls upon the Higher Education Service Group Executive to:

- 1) Write to universities requesting an implementation plan and time line to achieve the actions noted above.
- 2) Work with UNISON Labour-Link to highlight this in the UK Parliament and other devolved bodies, in order to put pressure on all Universities to follow suit.
- 3) Write to all Universities requesting a copy of their code of Practice action plan and whether their suppliers meet the requirements outlined in this motion.

National Women's Committee

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12. Campaigning Against the Marketisation of Higher Education in England

Higher education as a public service has been and is increasingly under threat from profit-driven vultures encouraged by an ideological obsession that dictates that private interests should always triumph over common ownership and cooperation.

Attempts by the current and previous governments to introduce market forces and competition into the public services is nothing new to all sections of the public sector. This is largely driven by a requirement to cut state financial investment in the services on which we all rely, and the desire for private companies to seek new industries in which to make healthy financial returns.

The current review of post-18 education, due to report in early 2019, is likely to propose measures which will drive higher education institutions further apart, potentially linking tuition fee values to measures of “quality”, and creating further funding crises in some institutions.

There are lucrative profits to be made in cleaning and catering contracts, provided it is possible to drive down the terms and conditions of the workforce and remove current and/or future employees from national pay bargaining or existing pension schemes. Large and small commercial enterprises are now much more inclined to invest in public contracts to provide services, where cash-flow is pretty much guaranteed, than make risky investments with a smaller chance of a return.

University leaders are increasingly being forced down the road of seeing themselves as in competition with each other. This is driven by a funding mechanism which is designed to accentuate the differences between institutions. Those perceived to be the best universities compete over prestigious research contracts whilst institutions at the other end of the league tables compete with each other over clearing students, since these numbers dictate income levels on a year by year basis.

This funding system is inevitably fragile, being subject to the number of potential students, which is based on demographic fluctuations and the willingness of thousands of young people to build up colossal debts with no guarantee of quality jobs. The removal of a cap on recruitment at a given university means that if the more prestigious universities intend to grow, and there is some evidence to show that this is happening, then the less well regarded institutions will struggle to fill places, posing the issue of campus and/or course closures, asset-stripping or total institutional failure.

Marketisation is having two major effects on universities where Vice Chancellors are reacting to the situation.

- 1) Institutions experiencing or forecasting a decline in student numbers are cutting costs, closing courses and trying to reducing salary bills by attacking pension schemes.
- 2) Greater competition for students means significant investment into marketing, which diverts funds away from teaching and research and into selling the “student experience” to potential students - some with little chance of academic success - for multiple reasons.

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The effect of this trend on our union is that battles to defend members' rights are likely to be increasingly localised and victories will be significant only where branches have strong and determined leaderships, able to raise the confidence of members to fight.

Conference further notes:

The prospect of an end to the marketisation trend was raised, at least in part, by the Labour election manifesto of 2017, which promised to abolish tuition fees and reintroduce maintenance grants.

This was an enormously popular policy, which was a breath of fresh air to young people and higher education workers, who supported Corbyn's policies wholeheartedly. This also chimed with UNISON's position of total opposition to tuition fees and for fully funded universities.

Whilst abolition of fees would not in itself mean the end of marketisation, if appropriate state funding is provided, it would be a significant step in the right direction of returning the higher education system to one which provides a universal education service for those wanting to take advantage of it, and provide quality research for the benefit of all society.

Conference Calls on the Higher Education Service Group Executive:

- a) To make sure that UNISON's policy on higher education is clear to all by making it prominent on the national website and in all relevant material.
- b) To lobby Labour Link and all appropriate bodies to ensure that the next Labour manifesto commits a future Corbyn-led government to abolish fees and fund higher education adequately, through a system of progressive funding which guarantees all jobs and existing terms and conditions of higher education workers.
- c) To give full practical and material support to all higher education branches and members fighting the effects of marketisation.

Higher Education Service Group Executive

13. Supporting members with mental health problems

Conference is aware of the increasing need to support members who are experiencing either short or long-term mental health conditions.

Despite the good work already being done by branches in enacting conference policies - such as encouraging employers to sign up to Time to Change, or become Mindful employers - there is a great deal of fear from those experiencing mental ill health conditions that they may suffer a detriment as a result of disclosing a condition. Additionally some activists have expressed concerns of feeling out of "their depth" when it comes to understanding mental health conditions and how best to support members.

Conference welcomes the Universities UK (UUK) "#stepchange" incentive and the concept of a whole university approach supporting students and staff alike.

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However, as can often be the case within the sector, the focus can become solely about students; ignoring staff need. Mental ill health does not discriminate and has no regard for age, gender, ethnicity, sexual orientation or if you are a student, employee or activist. Conference believes that our employers should not discriminate in their approach to support for mental health conditions.

Therefore, conference calls upon the Higher Education Service Group Executive to:

- 1) Encourage branches to continue to seek active involvement in their own institutions enactment of the #stepchange initiative.
- 2) Campaign for trade union representatives to be part of the UUK Mental Wellbeing in Higher Education Working Group to ensure there is a staff voice.
- 3) Circulate to branches UNISON guidance on supporting members with mental health condition and available training courses. Where these do not exist, seek to work with the National Executive Committee in the development of materials and courses.
- 4) Run a training session at the next Branch seminar on supporting activists to help members with mental health conditions.

Higher Education Service Group Executive

14. Transparency and fairness in University governance

University Vice-Chancellors' and executive pay has been a subject of much scrutiny by Unison, and rightly so. We have seen seemingly limitless increases to their already substantial salaries, whilst we "ordinary" staff have our pay suppressed and feel the pain of outsourcing, increased workloads and diminished staff numbers. With the additional pressure of a creeping consumerist culture within the sector, pay is a part broad problem.

Our members working in universities are living in turbulent times. So many of us are paying the price of poor or careless decision making, carried out in obscurity, by our executive and governing bodies. We have seen teams decimated by clumsy restructures and VS schemes, yet they are still expected to perform as before. There are even examples of these schemes being so poorly run and short-sighted that staff granted severance have, within months, been re-appointed on a consultancy basis and at a far higher price. We have seen huge investment in estate when we are told that there is not enough money to pay a living wage. So many UNISON members in Higher Education (HE) are living under the threat that their university may decide to outsource their role. Yet we don't see how these decisions are made and how their impact is assessed; it's hard to believe that there is sufficient consideration given to the impact many of these decisions have on the majority of staff. Many of us have no guaranteed say in how our universities form their values and strategies. In short, university governing bodies appear to be a law unto themselves.

Conference believes that universities should be accountable to their staff, and that trade union voices should be heard at university councils, boards of governors and equivalents. Scotland have made a courageous move to do so with the Higher Education Governance (Scotland) Act 2016 (due for implementation in 2020) which

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not only determines that student, academic and support staff trade unions have seats at the university governing body, but also ensures greater transparency in the appointment of senior lay members. Conference believes that this is an important first step in our larger goal of ensuring that university staff are treated fairly and that our members' voices are heard when big decisions are made.

Therefore, Conference calls on the Higher Education Service Group Executive to launch a robust campaign recommending that England, Wales & Northern Ireland adopt legislation similar to the Higher Education Governance (Scotland) Act 2016, ensuring that trade unions have a seat at the table when decisions which affect our members are made.

Cymru/Wales Region

15. Inclusive workplace policies

Conference celebrates UNISON's work over the past 25 years to promote women's equality and participation and to tackle sexism and sex discrimination at work, in our union and across society. Like other service groups, the Higher Education Service Group Executive (HESGE) has a majority of women members and our rules and practices to encourage women's participation are vital to achieving our equality objectives. Likewise, in our negotiations, it is vital that we demand employers consider the impact of policies and practices on women workers and take active steps on equal pay and to tackle all forms of workplace discrimination.

Considerations of gender and monitoring of women's progress or experiences are key to much of this. Conference notes however that an overemphasis on gender where gender has no relevance can have the unintended effect of reinforcing gender stereotypes, which in turn reinforce gender job segregation and the glass ceiling.

Conference also notes that some initiatives for women's equality are framed as though all workers are either women or men. There is increasing recognition that some workers do not identify as having a binary gender – as being solely male or female. Instead they identify as non-binary – as neither male nor female, as both or something entirely different.

Conference believes that workers should be able to attend work according to their gender identity, whether this is female, male or non-binary. This may mean small but important changes to systems and facilities so that they are inclusive, such as:

- 1) Inclusive gender and title options in electronic records.
- 2) Checking gendered language (such as he/she, sir/madam, sisters and brothers, mothers and fathers) in policies and communications.
- 3) Flexibility in any gendered dress codes.
- 4) The option of gender neutral changing or toilet facilities.

Conference notes that gender neutral toilet and changing facilities are not a new idea. They have been commonplace in workplaces and public venues across Europe for many years. We all use gender neutral toilets every day without thinking

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about it, for example on trains and in our homes. Higher Education establishments and workplaces that have introduced gender neutral private cubicles with open washing spaces have found that they increase users' sense of safety and reduce graffiti. Sometimes this option can be introduced easily by designating some facilities as gender neutral. In other buildings, it will need a redesign, to ensure facilities that are safe and accessible and provide greater privacy, such as individual lockable cubicles rather than open plan communal changing rooms.

Conference calls on the Higher Education Service Group Executive to:

- A) Gather good practice examples from employers of inclusive policies and practices, including in record-keeping, language, any dress codes and in the provision of safe and accessible gender neutral facilities.
- B) Promote the good practice across the service group.

National Lesbian, Gay, Bisexual and Transgender Committee

16. Challenging Racial Discrimination in Higher Education

Conference, the National Black Members Committee (NBMC) welcome the work of the Higher Education Service Group Executive (HESGE) in highlighting and addressing the issue of institutional racism, conscious and unconscious bias in Higher Education (HE) with the annual HE Seminar in 2017, holding a workshop on the issue of unconscious bias.

We note the HESGE conference have raised the issue of the proportion of Black university professors as substantially below levels expected from the general population and further concern on the lack of visible lecturers as well.

UNISON as one of the largest unions in the Higher Education sector, supporting 50,000 members working in Universities, the ratio relating to how many are Black members is one which the NBMC would like to address with the service group and look at ways to do some joint work on issue of racial discrimination and unconscious bias towards Black staff.

This service group conference believes that there is evidence that could lead us to see that there are unjustified levels of discrimination both conscious and unconscious in the Higher Education system specifically in the so called 'select' universities like Oxford, Cambridge and the Russell group in support and employment practices of Black staff.

UNISON represents members employed by universities directly, or who work for contractors supplying services – it is imperative that some research to address where Black members are located in the workforce and establish if specific training is needed and how to improve joint work with the National Union of Students (NUS) that impact on both staff and students.

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

- 1) Seek to work with Advance HE (formerly the Equality Challenge Unit) to look at the statistic of staff in the sector based on race and ethnicity.

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- 2) Analyse these results and look to do some joint work with the National Black Members Committee in publishing the findings in appropriate UNISON media and UNISON Black Action.
- 3) Develop a survey questionnaire and circulate to Black staff in Higher Education to explore issues such as unconscious bias, racial discrimination, unfair treatment and lack of promotional opportunity.
- 4) Explore how to draw up an action plan in the HESGE based on the results of the survey and work with the National Black Members Committee in challenging racism in the workplace and enhancing the work of UNISON across the HESGE to members.

National Black Members' Committee

17. Boosting our campaign for fair pay

This conference will likely agree our union's approach to pay negotiations for the coming year. Whatever the finer detail of our pay claim, if we are to be effective in making our demands, we need to place ordinary UNISON members and Higher Education workers at the centre of our campaign.

From the very start of this year's pay campaign, we should aim to inform members of the issues and enable activists to run a lively and effective campaign.

This conference instructs the Higher Education Service Group Executive to:

- 1) Produce briefings of the key facts and issues of the campaign and to provide this to branches along with infographics and visual materials that can be used on social media and newsletters.
- 2) Issue case studies/examples that can be used to demonstrate and humanise campaign material.
- 3) Work with the National Union of Students (NUS) and our sister Higher Education unions to produce joint publicity.
- 4) Work with Regions to support the running of regional activist workshops as part of the pay campaign to help spread good practice and to further inform future publicity and campaign events.
- 5) Work with Regions to support the provision of organiser/fighting funds and organiser support for building participation in the campaign and in any industrial action ballots through leafleting sessions and workplace meetings, focussing particularly on regions and branches which have had historically low turnout in industrial action ballots.
- 6) In the event that industrial action is taken as part of the campaign, coordinate with the NUS and our sister unions to hold protests, rallies, and events in the run up to and on the day of industrial action (all organised in line with the law and UNISON rules, of course). Events should incorporate other elements of our campaigns, such as campaigning for free education, against excessive VC pay etc. (as per conference policy).

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- 7) Work with Labour Link with a view of gaining support for our campaign from the Labour Party.

Manchester Metro University

Motions Ruled Out of Order

Beyond remit of the Conference

A) Workloads and poor mental health

Conference notes that across the Higher Education sector workloads are increasing and demands on staff are greater. As many universities now see themselves as a marketable asset more and more is expected of staff to ensure that their university is as commercially marketable as possible.

Many of our members are feeling overworked and have a greater sense of job insecurity which is leading to higher levels of sickness and absence due to poor mental health, such as anxiety, work related stress and depression. The World Health Organisation predicts that depression will be the worlds most common illness by 2030 and suggests that the global burden of the condition will be greater than for illness such as diabetes, heart disease and cancer.

UNISON works hard to help and protect members during difficult times and periods of illness. But we, as a trade union need to ensure that employers are held accountable if they fail in their duty to protect our members health and wellbeing.

Conference therefore urges the Higher Education Service Group Executive to:

- 1) Ensure that any identification of work related stress and / or mental health illness is treated as a priority;
- 2) Ensure that adequate confidential counselling services are made available to staff on request and that staff are encouraged to access these services without judgement;
- 3) Ensure that there are work related stress policies in place for staff with work related stress or mental health illness which allows for regular reviews and on going support that avoids stress or threat of dismissal.

Cardiff University

B) Brexit: We don't need a people's vote, we need a national vote

Conference notes that TUC Congress 2018 saw a General Council Statement on Brexit calling on the UK's trade unions to mobilise for a popular vote on the final Brexit deal.

As we approach Brexit day, March 29, the question of how best to use the return of full control of our economy becomes central. This is something to which the TUC and its member unions must turn their full attention.

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Getting the best possible Brexit deal must be accompanied by a national recovery plan to bring more good jobs to communities across the country and this means funding our public services, including higher education, properly.

UNISON is tackling the issues that matter to its members and to workers in the university sector generally, whether Brexit-related or not, however, the Brexit that is being proposed poses threats to further and higher education funding and to the issue of immigration and free movement of people.

Conference believes political intervention in the economy is needed to grow investment in UK universities and restore public funding, including to the outsourced parts of higher education. This means getting wages rising again and cracking down on the disastrous spread of insecure work that is leaving higher education staff trapped in poverty and vulnerable to exploitation.

We should be calling for one thing and one thing only, an urgent general election that will return a Labour government. What workers in the UK need right now is not a people's vote but a national vote that will sweep this nasty Tory government out of power.

Labour must be given a chance to negotiate with the EU before a popular "Peoples" vote on the final Brexit deal.

Calling for a popular vote in whatever form is a de facto second referendum and with the Tories in power will do lasting harm to trade unions and their reputation among workers.

The only vote that matters is a general election.

Conference calls on the Higher Education Service Group Executive (HESGE) to:

- 1) Acknowledge that UNISON members have not had a say on Brexit since Article 50 was triggered.
- 2) Recognise that a Tory Brexit? threatens Britain's economy, security, environment and citizens' rights.
- 3) Campaign against a Tory Brexit deal that promises to fail our country and land UNISON members in even more financial hardship.
- 4) Support the earliest election of a Labour Government led by Jeremy Corbyn, which will negotiate with the EU on behalf of all workers in the UK.
- 5) Note that a popular "Peoples" vote on a final Brexit deal, if orchestrated by a Tory government, is a de facto second referendum that will do lasting damage to UNISON members and will likely kick the prospect of a general election into the long grass.

London School of Economics (LSE)

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Could place the union in legal jeopardy

C) Industrial action ballot tactics for the 2019-20 pay campaign and beyond

Not printed on the advice of the legal officer

University Of Brighton

Received past the deadline

D) Use of Zero Hour Contracts in Higher Education

Zero hour contracts have no legal definition; they are an arrangement between an employer and a worker whereby employers offer work without any guarantee. The employer is not obliged to provide guaranteed minimum working hours and the worker is not obliged to accept any work offered, however the worker agrees to potentially be available to take on such work.

Most Zero Hour Contracts will give staff 'worker' status where they are afforded employment rights as regular workers and are therefore entitled to basic employment rights such as entitlement to annual leave, the National Minimum Wage and National Living Wage.

Zero Hour Contracts do not necessarily give staff 'employee' status where they are afforded the additional employment rights as an employee such as the right to unfair dismissal and right to guaranteed pay increases.

Employers and employer organizations often cite the benefits of 'flexibility' to the parties in these types of contracts. They are able to cover fluctuations of work and equally workers can benefit from the flexibility of not having to work if they have other commitments such as family obligations or studies if they are in education. The abolishment of 'exclusivity clauses' has meant that employers cannot build into the contract the obligation that the worker is tied exclusively to the employer and this has provided more flexibility on the worker's side in theory. However, the balance of power between the parties and potential vulnerability on the side of the worker can mean that flexibility for the worker is theoretical and not a practical reality.

We are aware of the significant rise in the use of Zero Hour contracts in Higher Education amongst academic and academic related staff but we are also seeing a rise amongst professional and administrative staff. For example, institutes 'employ' Student Support Officers on zero hour contracts citing that the funding for these posts require flexibility and to be able to 'turn the tap off and on' when the student needs that support. They may cite that these positions are dependent on the numbers of students and the length of their needs which might be through their academic journey or, according to their support needs, for part thereof.

We are also aware of external providers being awarded contracts to provide services to HE institutes on a zero hour contractual basis such as Security contracts and Emergency Maintenance contracts.

We have reports of members who are being 'asked' to work, sometimes at really short notice, which puts pressure on their other work and family commitments with a perception of real pressure being applied to accept that work. We are aware of instances where members felt that they would not receive offers of more hours if

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they did not accept the hours being provided to them. We are aware of members having sanctions applied to their Universal Credits where they have not accepted hours of work that have been offered to them. Members have reported their inability to access mortgages and other financial support as a result of not being able to demonstrate guaranteed contractual hours to financial institutes. These are only some of the concerns being reported into our branches. The impact of this is that flexibility is in reality one way flexibility and our members are becoming increasingly insecure and vulnerable.

We note the Labour Party 2017 manifesto commitment to:

'Ban zero hours contracts so that every worker gets a guaranteed number of hours each week' and Jeremy Corbyn's repeated commitments to 'Ban Zero Hour Contracts' on Labour getting into power.

We agree that every worker should get a guaranteed minimum number of hours each week. This would provide our members with real flexibility and security whilst allowing the employer to top up minimum hours to meet their obligations to the students.

It is unclear how widespread the use of Zero Hour Contracts are in the professional and administrative support areas and therefore urgent review is needed and guidance to be provided to branches.

Conference calls on the Higher Education Service Group Executive to:

Survey branches to identify the use of 'zero hour contracts' and to identify the nature of the work being performed under zero hour contracts;

Provide information and advice to branches regarding the results of the above survey and develop negotiating guides on how to negotiate to turn 'zero hour contracts' into 'minimum hour contracts';

Work with the appropriate structures of UNISON to develop a union wide position on zero hour contracts and

Lobby within UNISON structures to eliminate zero hour contracts and support minimum hour contracts.

Yorkshire - Humberside Region

E) Mandatory Gender Pay Gap reporting in Higher Education Yorkshire and Humberside reveals on average a 16 % Mean Pay Gap and 17% Median Pay Gap between men and women in the region.

The results in Yorkshire and Humberside correlate with national data in Higher Education. Across all universities in England, the average gender pay gap is 18.4% - meaning for every £1 men earn per hour, women earn 81.6p. This shows that the sector is up there with the worst behind the Construction Industry (24.8%) and Finance and Insurance (22.1%).

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The proportion of women to men employed in the lowest quartile of staff is 66% Female to 37% Male and in the higher quartile 45% Female to 55% Male. In other words more women are employed in the lower salary bands and more men in upper salary bands.

In Yorkshire and Humberside six out of the nine Vice Chancellors are male with average salaries of £252,000 per annum. On average the Female Yorkshire and Humberside Vice Chancellor's package is £193,109 compared to the Male Yorkshire and Humberside Vice Chancellor's of £320,976.

This suggests then, that for universities, a significant part of the explanation for the gap lies not only on the 'where are the senior women?' side of the equation but also on the 'why do women outnumber men two to one at the lower end?/where are the lower-paid men?' side. And why do the senior female Vice Chancellors get paid just 60% of the average male Vice Chancellor's salary?

As part of their obligation to report and then to close the gaps, institutes share their plans to tackle and eliminate the gaps as 'Action Plans'. What we have evidenced is disproportionate efforts to implement measures to tackle the gap in the higher paid roles while ignoring efforts to eliminate the gaps in the lower paid roles. For example, one university implemented a career progression scheme only open to those on a certain grade and above. This will do little or nothing to eliminate the gaps for the larger proportion of women on the lower grades. We do know that part time work has higher gender pay gaps than full time work and that many of our lowest paid members are also part time. Efforts need to be taken to specifically address this encouraging more flexible working and supporting parental and caring needs. We also know that most employers in the region reported their gender pay gaps and their Action Plans with no involvement of the local union branches.

Conference, the Fawcett Society recommend and publish measures that will have real tangible effects on ensuring that organisations take steps to eliminate the pay gap not just by targeting the higher paid women but women across the grades. Measures such as:

- Advertising all jobs in the organisation as flexible, part-time or a job share unless there is a strong business case not to.
- Supporting women to progress to higher paid jobs, and tackle unconscious bias and use targets to measure progress.
- Become a living wage employer
- Create targets for apprenticeships and aim for 50:50 recruitment.
- Introduce a dedicated period of leave for fathers paid closer to replacement earnings rate. Current shared parental leave legislation is welcome, but too few fathers will be able to take it.
- Build on the extension of free childcare by investing in our childcare infrastructure so that we have affordable, flexible and high quality care for children.

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Conference, Branches need assistance to be able to negotiate with their employers on their gender pay gaps and not for employers just to publicise these without consultation and negotiation with the local branches. To this end guidance for branches would be extremely welcome.

We call on the SGE to:

- 1) Publicise the Higher Education Sector Gender Pay Gap through annual reporting to branches;
- 2) To identify and publicise the worst and the best HE employers;
- 3) Create a study of the Action plans that employers intend to implement to eliminate the gaps;
- 4) Identify and highlight best practice across employers;
- 5) Create a bargaining guide for branches on negotiating with employers to introduce more meaningful Action Plans and targets for women across all grades.

Yorkshire - Humberside Region

F) UNISON Membership for Precarious Workers

Conference notes that casualization of staff within the university sector continues apace. Between 2011 and 2016 there was an 62% increase in agency staff.

<https://www.unison.org.uk/news/article/2016/05/universities-200m-agency-staff/>

That UCU has passed a motion to offer free membership to "enrolled postgraduate students contracted to teach in UK higher education institutions", "staff working in further education not on lecturing contracts but part of the teaching and assessing team such as instructor, assessor, trainer or coach".

Conference notes that there is very little research on the density of agency staff in trade unions, but the TUC notes in its 2018 report "ending the undercutters' charter" that "agency worker is no longer a stepping stone into secure employment with good career prospects. Instead it's becoming a more permanent form of work." 420,000 agency workers have been with their current employer for over a year (page 7), of which 100,000 work in public administration, health, and education (page 9).

<https://www.tuc.org.uk/sites/default/files/EndingtheUndercuttersCharter.pdf>

Conference calls on agency staff or fixed term contracted staff with contracts of less than 1 year and 1 day, in the higher education sector to be offered free membership for the first year. After which point they will pay the standard union rate depending on their employment banding. This will:

Increase UNISON membership within the higher education sector; which will improve the potential impact of industrial action and thus the negotiating position of UNISON in pay and working conditions, which will benefit all members.

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Encourage precarious workers to have a larger voice within the union and build better communication networks, to combat the purposeful fragmentation of the workforce.

Ensure that a larger proportion of our workforce receives information directly from the union, making it easier to campaign.

Reduce the incentive for universities to take on temporary or zero hour contract staff, thus undercutting the current workforce.

Conference calls on UNISON to carry out research on the union density of agency staff in higher education, carry out further research with agency/fixed term workers and report on the main barriers that precarious workers face in joining a union.

Conference calls on UNISON to report back at the next conference whether the policy has had any effect on the union density of agency staff.

University Of Bristol