The Educational Institute of Scotland

University and College Union

the public service union

the UNION

Higher Education Joint Union Claim 2024/2025:

Introduction

The past two years have been a period of unprecedented hardship for higher education workers. These hardships, when combined with the inability of employers to address the root causes of problems within the sector, have resulted in unprecedented levels of industrial action. The joint trade unions expect New JNCHES to deliver for staff in the same way that staff have consistently delivered for the sector. We believe that a framework of positive dialogue can result in a better way forward for higher education workers. We hope that UCEA can respond positively to the details laid out in the claim in order to reset industrial relations in the sector.

Higher Education is a continuing success story. That success is testament to the dedication, professionalism, and commitment of our members working in the sector.

However, this commitment of our members is not matched by their employment conditions. Endemic low and falling pay, growing insecurity of employment, excessive and worsening workload, growing attacks on agreed contract terms, and worsening equality pay gaps are no way to reward hard working staff.

We expect UCEA to work with their members to develop realistic plans for the restoration of real-terms pay levels, for the ending of low pay, for ending insecure and casualised employment practices, for tackling excessive workload, and for closing equality pay gaps. We are open to working with employers and with UCEA to help them develop realistic and robust plans to tackle these unacceptable working conditions.

Pay

Our demands on pay are simple. To tackle low pay through reform of the pay spine and to restore the losses in the value in pay caused by years of below-inflation pay rises.

We demand :

- an increase on all pay points of at least RPI + 2% or a flat rate of at least £2,500 (whichever is greater) and a commitment to restore lost pay.
- Equivalent rises to London Weighting and any other allowances
- A new minimum pay rate of £15 an hour.
- All institutions to become Foundation Living Wage employers and pay points below the FLW to be deleted.
- UCEA should commit to a comprehensive reform of the pay spine.

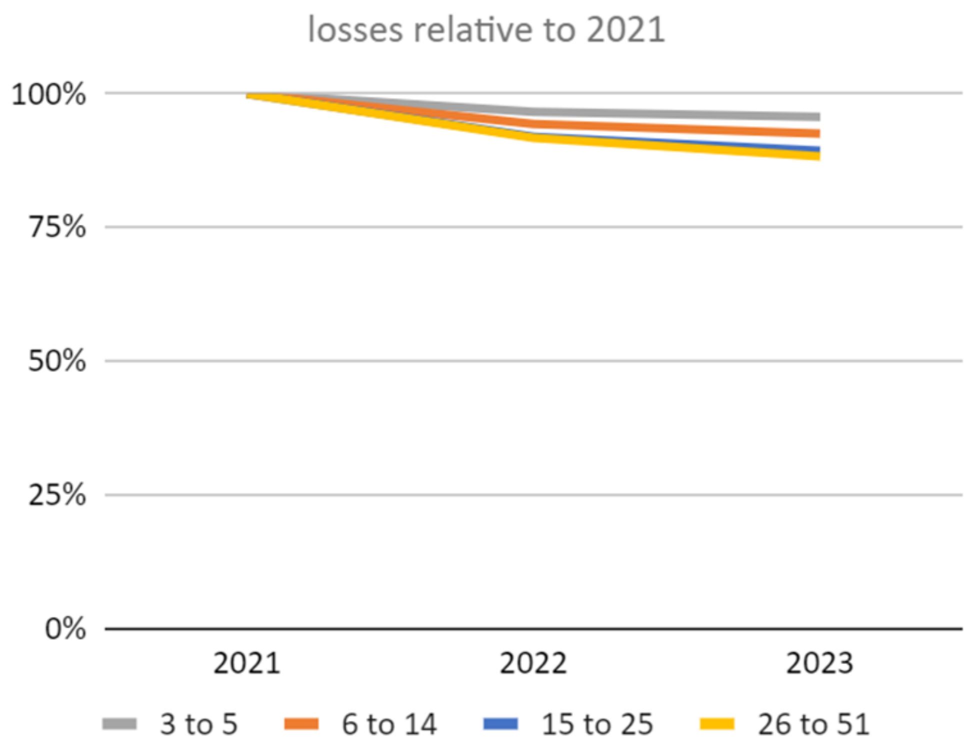

Figure 1. Cumulative loss in spending power of HE workers, August 2021-2023, against RPI inflation (August 2021 = 100%). Scale points 3-5 and 6-14 are the arithmetic mean due to the fact that the August 2022 settlement was graduated. Source: Office for National Statistics (ONS).

We have just experienced two years of high inflation from August 2021-2023, during which salaries devalued in real terms at a rate greater than at any time in recent history. Not since the 1970s have we seen such high levels of inflation.

- Against RPI, the unions' agreed measure, by August 2023, salaries for staff on points 26+ (the majority of employees in the sector) fell in real terms by 11.7%

over the two years (calculated by spending value of pay). The biggest drop was due to the 8.3% cut in the value of pay from August 2021-22, when staff had a 3% increase in imposed but RPI exceeded12.3%.

- Staff on salary points 15-25 fared slightly better: their pay ‘only’ fell by 10.6% over the same two-year period.
- It is true that staff on truly low salaries fared better. At the bottom end of the spine, salaries fell in real terms by between 3 and 8% thanks to the graduated August 2022 settlement and the split tranche in August 2023. But these staff were hit by the cost-of-living crisis immediately. (However, at the bottom end of the scale are few staff, some employers had deleted these spine points, and they now fall below the national minimum wage.)

A salary fall of 11.7% or more is an extraordinary collapse in value. Another way of thinking about it is the following statistic. From August 2023, the majority of staff working in the UK HE sector are now not being paid for the equivalent of 43 calendar days per year (1.4 months) in August 2021 money.

This fall is on top of thirteen years of declining pay. Between August 2008 and August 2021, staff pay devalued by 19.7% in real terms against RPI. But the last two years has seen a rate of decline more than three times greater than the previous decade.

Relative to other workers in the UK, Higher Education workers also fell behind. Average pay in Great Britain grew by 6.1% compared to the previous year in the three months to January 2024 . The current rate of RPI is 4.5% (ONS).

In 2024, more than ever before, it is the trade union side’s view that these, and future, negotiations should start from the basis that existing salaries must be increased by at least the RPI as the opening position and keep up with the rising cost of living.

The Joint Union Claim is to match RPI+2%. It is a ‘keep up and catch up’ claim. If UCEA only agreed to match inflation from now until the future, staff would still be working for 43 days for free! It is essential to commit to close this gap.

We look to UCEA to develop a realistic and robust plan for moving towards a restoration of lost pay for our members. A pay increase above the rate of inflation is a part of that. The proposed 2% on top of RPI is extremely modest but would represent a clear signal on behalf of the employers.

We also look for a commitment from the employers to begin the process of restoring lost pay into the future. We understand this will be a long-term process and employers will not be able to restore our members lost pay immediately. But we expect a commitment from employers to restore pay in line with the losses inflicted on our members by year upon year of below inflationary pay award.

Low Pay and the Living Wage

Ensuring that the Living Wage Foundation (LWF) rates are paid to all on campus, including directly employed staff and those employed by contractors and arms-length bodies, makes sense. It makes sense for individual employees – lifting them and their families out of poverty pay - and it makes sense for the employer by improving motivation and retention rates. This is especially important in jobs that are on lower grades and where staff may choose to leave to work at other local employers that are paying more. It makes sense for the local community and economy and helps universities to deliver on their civic commitments. According to a survey by the Living Wage Foundation, 94% of Living Wage employers say they've benefited since accrediting, 87% say it's improved the reputation of the organisation, 64% say it improved relations between management and staff, 62% of employers say paying a real Living Wage has improved recruitment of employees and 60% say it has improved retention, 93% of university students want to work for living wage accredited employers. Additionally, 79% of students think badly of an employer if cleaners and canteen staff, for example, do not earn the Living Wage Foundation rates.

What life on low pay means for workers was brought home in a Living Wage Foundation report[1] based on polling of 1,702 employees in the UK who were earning less than the real Living Wage, the research found that:

- 38% said they had fallen behind with household bills in the past year;
- 23% said they had fallen behind with their rent or mortgage payments;
- 17% said they had taken out a pay-day loan to cover essentials;
- 43% said the pay they received for their work negatively affects their levels of anxiety;
- 42% said the pay they received for their work negatively affects their overall quality of life;
- 28% said they had been unable to heat their home for financial reasons;
- 30% said that the pay they received for their work negatively affects their relationships with close friends and family;
- 25% of parents said that the pay they received for their work negatively affects their relationships with their children.

There are currently 71 accredited FLW universities, still leaving around 60% of universities yet to sign up[2]. According to UNISON's 2022 FOI data there were at least 6,000 staff employed directly by universities earning below the Living Wage Foundation rates.

The LWF rate is currently £12.00 per hour (outside London; and £13.15 in London) as announced in November 2023 and to be implemented by May 2024. Currently the lowest national HE pay point, SCP3 on the national higher education pay spine, has an hourly rate of just £10.58 for those on a 37-hour contract, £10.87 for those on a 36-hour weekly contract and £11.18 for those on a 35-hour contract. In fact, it is not until SCP 12

[1] Living Wage Foundation, Life on Low Pay, February 2022
[2] Cardiff Business School, The Real Living Wage in Higher Education, October 2023

that all employees working in HEIs receive at least the Living Wage Foundation rate. An increase of 13% is required to ensure that SCP 3 is increased to the FLW rate for those working a 37-hour week. Thus, significant progress needs to be made to address poverty pay in the offer for 2024/25 on all of the lower pay points.

According to UNISON's latest data there are over 6,000 staff working on SCPs 3-4 and will, thus, be earning below the full adult rate of the National Minimum Wage, in addition to staff working over 35 hours a week between SCPs 5 and 9.

Universities are competing to recruit and retain staff in a wider labour market that now has over 14,000 accredited Living Wage employers, including almost half of the largest companies listed on the UK Stock Exchange and household names such as Aviva, Barclays, HSBC, Nationwide, Google, and IKEA are among them. For many other employers, while not formally adopted as a pay rate, the Living Wage appears to have played an influential role, in tandem with recruitment and retention pressures, in shaping recent pay rises across the retail sector.

Aldi, Lidl, Sainsbury's, Marks and Spencer, Costa Coffee and Currys have all set a new minimum rate of £12 an hour over the last year, while Asda and Tesco have pushed their rates just above to £12.04 and £12.02 respectively. Amazon has raised its rate for frontline operations staff to between £12.30 and £13 per hour, depending on location.

The joint unions believe that £15.00 per hour should be the minimum pay rate for all staff employed by universities. The unions believe that this is fair and reasonable and represents the minimum that HE employers should do to address poverty pay in the sector.

<u>Pay spine review</u>

In recent years it has become apparent that as pay increases have not kept up with the rising cost of living that this has directly impacted on the sustainability of the bottom end of the pay spine. For the past few years, the lowest pay points have needed to be raised, or eliminated altogether, in order to comply with the government's minimum wage. Whereas in the past the lowest pay point was comparable to the Living Wage Foundation rate, this is no longer the case, and certainly not for those working a more than a 35-hour week – the majority of the sector.

The joint unions believe that there should be short term steps taken to urgently address the bottom end of the pay spine to ensure that HE employers are, at the very minimum, keeping up with the Living Wage Foundation rates irrespective of standard working hours contracts. We also believe that there should be joint work undertaken to ensure that the national pay spine provides universities and their staff with a suitable and sustainable national pay spine for the coming decades. With the reduction in pay points at the lower end, the reduction in differentials between SCPs, the removal of some increments from grades by HEIs, the time has come to review the national pay spine.

We believe that this review should work within the principle established by all partners in the National Framework Agreement.

The rationale for differentials in the pay structures is important, particularly at a time when our members are taking on more duties as HEIs restructure and make cuts in staffing. In recent years the outcomes of New JNCHES have resulted in the pay spine differentials not being consistent throughout the spine, which impacts on equality, fairness, and consistency grounds. The unions are calling for a restructure of the pay spine to restore the even incremental gaps throughout the pay spine and address the issues of pay compression that exist. Given the high levels of uncertainty affecting the sector, differentials need to be predictable over time rather than being eroded.

The principle of ensuring that all staff were employed on grades with incremental progression was an important element of the National Framework Agreement and one which the unions believe needs to be carried forward. With universities needing to take action to address poverty pay, there are an increasing number of staff who are not employed on incremental grades and the majority of staff have reached the top of their pay grade. The unions note that incremental pay increases are contractual, and that national pay bargaining relates to achieving increases in the pay award for all employees at the full rate for the job.

The sections in this claim on loss of value, inflation forecasts and settlement data, when compared with the pay increase contained in recent settlements, show how far behind both the cost of living and average pay settlements the pay in HEIs has fallen. Our members at the top of grades have therefore faced a steady erosion in their pay packets from below-inflation settlements together with no increment.

Percentage Gap between Different Spinal Column Points

The joint trade unions are seeking, as part of this year’s pay settlement, a recognition of the dwindling value of pay for those at the top of grades. We are seeking additional pay uplifts at the lower end of the spine to address pay compression and a remodelling of the pay spine to address the erosion of differentials across the pay spine. Seeking to restore a 3% gap across the spine is a means to achieve this. Establishing a joint working group to address this problem in a comprehensive way would be a useful way to take this problem forward.

Pay Related Elements

<u>Contract Type</u>

Contract types:

According to the latest available HESA staff data (2022/23), 62690 academics are employed on fixed-term or atypical contracts – a figure that has changed little in recent years. This figure rises to almost half for teaching-only academics (45%) and nearly two thirds (66%) for research only staff.

Across the sector 32,625 academic staff are employed on hourly paid contracts (HESA 22/23), with 31,590 of those staff only receiving part time hours.

Women and BAME staff are more likely to be on some form of casualised contract.

Casualisation remains a problem for all academic staff groups but the use of fixed-term contracts for research staff, and zero hours and hourly-paid contracts for teaching-only staff is endemic.

According to FOI research undertaken by Unison, there are nearly 25,000 zero hours contracts issued to support staff in the sector. The joint unions are seeking a commitment from UCEA to a joint call for universities to commit to a new institution-level action and implementation plans to create greater security of employment and to commit the necessary resources to do so.

We expect the JNCHES working group looking at contract types to:

- Identify ways in which the sector can reduce its use of casualised contracts.

- Make a recommendation to act on zero hours contracts such that all staff having at least minimum guaranteed hours that reflect their working pattern on an employee contract.

- Develop, agree, and promote principles at a UK- level which employers are able to apply through the appropriate local consultation and/or negotiating machinery on the following contract types:

    - Graduate Teaching Assistants (GTAs): to include an appropriate workload allocation mechanism, guarantee that all GTAs are paid at the appropriate grade for the work they are conducting; receive paid training, and have access to the same rights and entitlements as all permanent members of staff.

- Fixed-term contracts (including open ended contracts with an 'at risk' date): to include agreed limitations on their use, a minimum contract length of 24 months (other than in genuine cases of cover), a process to move all staff who have more than one contract extension or with no more than 4 years' service to genuine open ended contracts with a focus on better management of redeployment, the provision of bridging funds (for example for use between research grants for both research and support staff working on externally funded research projects) and a move to research 'hubs'.

- Post Graduate Researchers (PGRs) : to include an agreement to the principles in the UCU PGR manifesto as the basis for local negotiations aimed at creating greater alignment between the terms and conditions for postgraduate researchers, in their capacity as doctoral researchers, and employees.

- Hourly-paid contracts : to include agreement on a process to move staff on hourly paid contracts to fractional contracts.

- Review progress on reducing casualisation for different contract types on an annual basis.

- Recommend to UCEA's members to carry out an Equality Impact Assessment when undertaking work relating to contract types so that mitigating action can be taken with regard to any adverse impact/s identified.

This section of the pay claim comes under section 7 of the New JNCHES Agreement, 26 March 2013 which references fixed-term, hourly paid, and low pay (which relates to the outsourced services which, in many cases, employ staff on the lowest rates of pay.) Additionally, section 8 of the third bullet point, states that 'areas of employment practice…with the potential to produce material for dissemination to institutions", in the New JNCHES Agreement, 26 March 2013.

Workload

The trade unions wish to make it explicitly clear that actions need to be taken by employers to reduce unsafe and excessive workloads, and that such excessive workloads mean, in effect, that staff are doing more work for less pay.
The latest estimates from the Labour Force Survey (LFS) show:

- In 2020/21 there were an estimated 822,000 workers affected by work-related stress, depression, or anxiety. This represents 2,480 per 100,000 workers. The rate of work-related stress depression and anxiety has increased in recent years.
- The number of new cases was 451,000, an incidence rate of 1,360 per 100,000 workers. The total number of working days lost due to this condition in 2019/20 was 17.9 million days. This equated to an average of 21.6 days lost per case. Working days lost per worker due to self-reported work-related stress, depression or anxiety shows no clear trend.
- In 2020/21 work-related stress, depression or anxiety accounted for 50% of all work-related ill health.

- In 2019/20 stress, depression or anxiety accounted for 51% of all work-related ill health cases and 55% of all working days lost due to work-related ill health.
- Stress, depression or anxiety is more prevalent in public service industries, such as education; health and social care; and public administration and defence. By occupation, professional occupations that are common across public service industries (such as healthcare workers; teaching professionals and public service professionals) show higher levels of stress as compared to all jobs.
- The main work factors cited by respondents as causing work-related stress, depression or anxiety were workload pressures, including tight deadlines and too much responsibility and a lack of managerial support (2009/10-2011/12).
- In the recent years prior to the coronavirus pandemic, the rate of self-reported work-related stress, depression or anxiety had shown signs of increasing. In 2020/21 the rate was higher than the 2018/19 pre-coronavirus levels. The latest year (2020/21) is not statistically different compared to the previous year. Evidence suggests this is not related to COVID-19 (see Annex 1).

Equality Pay Gaps

The joint unions are again calling for UK-level agreed action for HE institutions to close the gender pay gap and to specifically address the ethnic and disability pay gaps, taking account of ways in which intersectionality affects pay and grading.

Every year the official pay data in UK higher education shows continuing, shameful, and persistent pay inequality. UK universities promote the values of equality, yet it is more than fifty years since the Equal Pay Act and the sector still has huge and, in some cases, growing gaps in the pay of men and women.

In March 2024 HEPI produced a report for England and Wales which highlighted that the gender pay gap median is 11.9% across the HE sector. It notes that the current rate of progress is slowing and that some institutions may never close the gap on the current rate of progress. The report states that on average HE sector will take 14 years to close the gender pay gap. In one notorious case it is estimated that it will take 680 years to close the gender pay gap on the current rate of progress.

According to the ONS, the pay gap for Black UK born employees is 5.6% across the UK. For non-UK born staff this increased to 12%.

Despite 22% of staff coming from ethnic minority backgrounds, only 13% of the Professoriate come from such backgrounds, with most of this group being of Asian descent. Though we note that there was an increase of 40 black professors being appointed in the 2023/23 HESA data, much more needs to be done across the board to ensure equality of opportunity for an ethnic minority staff employed in academic roles.

According to Advance HE, ethnic minority staff are under-represented in management, director, and other senior roles in both academic, academic related and support roles

UCEA's own analysis shows that Black non-UK men, Black UK women and Black non-UK women suffer the most significant pay penalty in comparison to white-UK men.

The time has now come for universities to agree clear action plans with their unions and for joint work to be done to address the race pay gap and the impact of intersectionality on staff. New JNCHES has an important review and enabling role in this.

We expect the JNCHES working group looking at action on pay gaps to:

- Consider the relevant data available and, where possible, collect data that is unavailable through HESA;
- Examine the relevant data through an intersectional lens for gender, ethnicity, and disability pay gaps, where available;
- Present an analysis of the data and the issues to be addressed at a UK-wide level, broken down for academic and professional services and clinical academic staff, and by contract type where possible (including outsourced/indirectly employed staff), to New JNCHES and to HEIs, and relevant sector-level benchmarks to allow meaningful local action plans. UCEA will also recommend to its members to benchmark their results using the UCEA pay gaps dashboard;
- Explore the impact on pay gaps of direct and indirect employment strategies;
- Develop and agree principles and minimum standards which employers are able to apply in action plans to address pay gaps based upon good practice, from within and outside of the sector, timescales, and the role of trade unions in action planning. These action plans will be developed and implemented locally;
- Develop and agree guidance on positive action initiatives to address equality pay gaps within the university workforce which remove well-evidenced barriers and systemic bias;
- Develop and agree guidance on the creation of safe environments and mechanisms through which union members/employees feel comfortable declaring protected characteristics;
- Encourage union members/employees to share protected characteristics data with their employers, highlighting the value of such information and its importance for future analysis of gender, ethnicity, disability, and other equality pay gaps and helping to address discrimination;
- Ensure that UCEA members undertake timetabled Equal Pay Audits and then share all audit data with their recognised trade unions;
- Review progress on all pay gaps at a UK level, including the proportion of HEIs making progress towards sector benchmarks, on an annual basis and report updated figures to the trade unions and UCEA members with further guidance and examples of success, prior to the annual pay negotiating round.

This section of the pay claim comes under section 9 of the New JNCHES Agreement, 26 March 2013. Additionally, section 6, second bullet point references the Framework Agreement which has a section on Equal Opportunities and Pay.

Terms of reference

UCEA and the joint unions made progress in 2023, through ACAS, through developing terms of reference for working groups to form to develop joint agreements on: workload, contract types, pay spine reform, and action to tackle equality pay gaps.

The joint unions have now agreed revisions to those terms of reference and look forward to UCEAs agreement to commence the formation of those working groups to begin to work towards national agreements.

Failure to form these working groups under the terms of reference would indicate the employers lack of commitment to tackle excessive workload, endemic casualisation, growing equality pay gaps, and a pay spine which is no longer fit for purpose.

Pensions

Inequalities in Higher Education Pensions

Research across pensions provision in the UK shows that gender differences in pension entitlement are significantly larger than gender pay differentials.

(https://commonslibrary.parliament.uk/research-briefings/cbp-9517/)

The average pension pot on retirement for women in DC schemes in 2021 was £69,000, whereas for men it was £205,800.

Although pension differentials are typically smaller with defined benefit schemes, the pensions of women are still, on average far smaller than those of men. The Government Actuaries Department examined the Local Government Pension Scheme in 2023 and reported that the average pensions entitlement of an active woman member was 35% lower than that of her male equivalent, with larger differentials for deferred and retired members.

https://www.gov.uk/government/news/gender-pensions-gap-report.

Many higher education institutions have reformed their pensions schemes for their lower paid workers, putting these staff in inferior DC schemes, while maintaining DB schemes for higher paid staff. This typically disproportionately affects women and other historically disadvantaged groups of staff. It can also affect the portability of pensions for staff as they progress through grades and do not have the benefit of early service membership of a DB scheme.

There are practical measures that can be taken to reduce these differentials. For example, continued employer contributions during periods of extended maternity leave, and minimum levels of employer contribution mitigating the impact of lower levels of accrual, due to scheme design, for part-time workers (most of whom are female).

Although there is less data in this area, there is evidence that there are similar pensions gaps in the HE workforce between white British people and those of ethnic minority, and those with and those without disabilities. Across the whole workforce, the People's Partnership (https://peoplespartnership.co.uk/wp-content/uploads/Measuring-the-ethnicity-pensions-gap.pdf) found that people of ethnic minority had significantly lower pensions.

We call upon the JNCHES Pensions Forum to form a working party to gather data on the extent of pensions gaps in the schemes for HE workers, with the aim of producing concrete proposals which would act to reduce gender and other inequality pension gaps in the sector.

35 Hour Week

As in previous claims, the joint unions believe that the sector needs to address the differential pay rates between universities.

Each year the higher education pay offer is made with reference to HE staff being employed on a 35 hour per week contract. In years prior to 2019/20, the Foundation Living Wage has been achieved as a minimum level of pay but only for those employed on a 35-hour contract. UNISON's 2020 FOI showed that, in fact, the majority of universities in the UK issue standard contracts which are higher than 35 hours, meaning that the FLW isn't achieved even for staff directly employed by universities if they are paid on the lowest few spinal column points.

Our latest data shows that:

- 55 universities employ staff on 35 hours per week as standard,
- 28 universities employ staff on more than 35 hours and less than 37 hours per week as standard,
- 49 universities employ staff on 37 hours per week or more as standard,
- Approximately 10 HEIs use a combination of standard contracted hours depending on grade.

The joint trade unions believe that New JNCHES can show leadership for the sector in response to this claim by developing national guidance on moving staff onto 35-hour weekly. Addressing this will go a significant way towards eliminating poverty pay in the sector as well as impacting on workloads.

This section of the pay claim comes under section 8 second bullet point of the New JNCHES Agreement, 26 March 2013.

The number of hours in the standard weekly contract directly impacts on the amount that salaries are worth per hour. This comes into sharp focus for those working on part-time, hourly paid or zero hours contracts as well as for those on the lowest pay points. Whilst contracts are issued locally by each employer this point in the agreement states that discussions can place on remuneration matters '…where the detail is determined locally in the context of the Framework…. allowing consideration of practice…across the sector as a whole…".

Additionally, the New JNCHES pay agreement 2006-09 section 4 "The Standard Working Week" states that "…the sub-committee jointly recommends HEIs with a longer working week explore actively …a reduction in working hours".

A national Green New Deal Agreement on a Just Transition for the sector which will include a Just Transition Commission in Higher Education

A 'Just Transition' means moving to a more sustainable economy in a way that's fair to everyone. Popular understanding and government policy often focuses on people working in polluting industries, such as heavy manufacturing, but change will need to happen in every sector.

The public education sector should lead the re-skilling and training of the workforce for low-carbon industries The transition must, in no way, become another private enterprise venture that reproduces existing economic, racial, and gender inequalities by restricting access to the majority through exorbitant tuition and fees. The fight against privatisation must continue in the transition to a low-carbon world. This is why we would seek to implement a National HE Strategy to transition to net-zero.

We need to establish the foundations of collective bargaining for tomorrow, today, if we are to fairly address the impacts of climate change on the working conditions and future prospects of the education sector, rather than reacting when it is too late. Research has shown that where changes are felt to be fair, they tend to have greater workforce buy-in, less opposition, lower costs, and better outcomes. Collective bargaining ensures that workers' voices are part of that process.

Finally, funding models in post-16 education need to change if we are to meet the demands of net-zero. There is a need to transition away from fossil fuel funded research, investment and innovation whilst protecting jobs and academic disciplines.

The joint trade union claim sets out the framework to do just that.

- To establish a working group with the joint trade union side to agree a proposal to present to the government for a JTC for Higher Education for review and approval through the April JNCHES structures.
- To work with the trade union side to develop a proposal to present to the government for a JTC for Higher Education to be developed for agreement in the Autumn JNCHES negotiation cycle, with public release and communications by November 2024.
- Ethical AI and right to human review
- Review of e-publishing
- Facilities time for Environmental Reps at Institutional level
- In line with DfE Climate Strategy. Encourage partnerships to support children to learn more about the environment and sustainability, for example universities linking with schools to share green spaces and climate expertise.

UCEA to commit to the protection of national agreements relating to terms and conditions of employment including the Post-92 national contract and HE2000.

There is growing evidence of individual employers moving beyond the terms and conditions laid down in the Post-92 Contract, accompanying Framework Agreement, and HE2000. In particular, the employment of staff on inferior terms and conditions and inappropriate pay grades.

We call on UCEA to call on its members publicly to support the agreed terms and conditions of HE staff laid down in the Post Contract, accompanying Framework Agreement, and HE2000 and to ensure that HE employers abide by these agreements.

To establish the Scottish sub-committee of New JNCHES as set out under the New JNCHES agreement.

The New JNCHES Agreement expressly acknowledges the reality of the establishment of devolved HE sectors for the devolved administrations within the UK, and that a subcommittee of the NEW JNCHES Committee may be formed to look at HE issues for any of the devolved administrations. There is clear evidence that there are some diverging trends and structures emerging in Scotland relative to the rest of the UK. The Fair Work Convention is Scotland specific, and a Scottish JNCHES would need to ensure that this is embedded within Scottish HEI's and is beyond the scope of the full JNCHES. A Scottish JNCHES subcommittee would provide the appropriate forum for legitimate discussion and engagement on this and other issues.

For this reason, the trade unions seek the activation of the Scottish New JNCHES Sub-committee to look at Scottish issues. Continued failure to implement this part of the New JNCHES agreement in blocking the formation of the Scottish New JNCHES Sub-Committee is a clear indication of bad faith by the employers side.

Over recent years, the importance of having a Scottish sub-committee has become more pronounced. The ways in which Brexit has affected Scottish universities is different from HEIs in England given the different funding and tuition fee regimes. The Higher Education Governance (Sc) Act 2016 has been implemented, with dialogue taking place on this, and other key sectoral employment issues, in Scotland out-with New JNCHES. The Covid 19 pandemic also demonstrated the need for an effective bargaining body in Scotland to discuss issues specific to the sector in Scotland that affect the workforce.

The trade union claim is to establish the Scottish Sub-Committee of New 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 and to inform NEW JNCHES where best practice is being established in Scotland so it can be considered at the UK level.