

From: [UCEA Updates and Briefings](#)
To:
Subject: 2023-24 New JNCHES pay round - latest letter from UCEA to the trade unions
Date: 16 June 2023 16:57:18
Attachments: [UCEA reply to Joint Trade Unions - 16 June 2023.pdf](#)

16 June 2023

To: Heads of Institution and HR Directors at HEIs taking part in the 2023-24 pay round

Dear colleagues

As you are aware UCEA has been in regular discussions with the sector and the trade unions to seek to bring a pause to industrial action and to try and make progress in areas of employment practice that are important to UCEA, our members and the sector trade unions.

Colleagues are reminded that phase two of the New JNCHES 2023-24 negotiations led to the development of four sets of [terms of reference](#) which were agreed in meetings facilitated by Acas. The terms of reference covered: (1) reform of the pay spine; (2) use of contract types and improving job security; (3) workload and (4) gender, ethnicity and disability pay gaps in the sector.

Following this agreement, it was deeply regrettable that UCU's Higher Education Committee overturned its own negotiation team and recommended the rejection of the terms of reference. The terms of reference were then narrowly rejected on a consultative ballot of UCU's member. UCU then proceeded to enact its mandate for a marking and assessment boycott and other forms of industrial action.

Sector affordability

Given that UCEA represents approximately 150 HE institutions in collective pay negotiations, we have to balance affordability with our shared desire for a meaningful pay uplift. While overall rates of participation in the boycott are low across the sector, it has had a significant impact in some HEIs. It is also evident, even for those that are not being so significantly impacted, that the boycott has been damaging for students, staff and local employee relations.

If you need any help with managing the boycott, please email the Employment Policy and Advice team – IA@ucea.ac.uk.

As you are aware, we have communicated to the trade unions that the 2023-24 pay offer made was at the limit of the sectors affordability and that there is no mandate to increase the pay uplift any further. It is unlikely that any modest stretch of the pay envelope would change the sector trade unions position.

A repeated assertion both during and after the negotiations is that the sector can fund a higher pay uplift than UCEA has delivered. This is on the basis of the aggregate financial position of the sector as a whole. We have consistently explained that HEIs are autonomous employers and do not share a common pot of money. However, we have offered today, in preparation for future negotiating rounds, to work with the trade unions to arrive at a shared perspective on sector finances through an independently facilitated exercise. This is with the purpose of establishing the factual position in relation to funding and the financial challenges that are facing institutions.

Next steps

We have today written to the trade unions to outline this proposal. In the letter we have restated our willingness to start talks with the trade unions, if the terms of reference are accepted and if the trade unions are willing to pause industrial action for those talks to proceed.

If the unions are unable to provide this confirmation, regrettably, UCEA will now regard the Acas terms of reference as lapsed and we will find other ways to take these important areas of work forward, including work on reform of the New JNCHES pay spine.

If you have any questions, please do not hesitate to contact me.

Kind regards


Universities and Colleges Employers Association

20 Tavistock Square
London WC1H 9HU

Universities and Colleges Employers Association

A Company limited by guarantee and registered in England and Wales, Company No. 2914327

Registered office: Woburn House, 20 Tavistock Square, London WC1H 9HU

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From: [Robert Van de Noort](#)
To: [Dominik Zaum](#); [Elizabeth McCrum](#); [Mark Fellowes](#); [Parveen Yaqoob](#); [Andrew Grice](#); [Peter Miskell](#); [Richard Messer](#)
Subject: FW: UCEA statement on QUB membership
Date: 03 July 2023 10:48:46
Attachments: [image001.png](#)

All

See below, FYI.

Robert

Professor Robert Van de Noort FSA PFHEI
Vice-Chancellor University of Reading
Chair Thames Regional Flood and Coastal Committee

Please read and reply to this email in your working hours only



From: UCEA Updates and Briefings <updatesandbriefings@ucea.ac.uk>
Sent: Monday, July 3, 2023 10:44 AM
To: @ucea.ac.uk>
Cc: UCEA All Staff <UCEAAllStaff@ucea.ac.uk>
Subject: UCEA statement on QUB membership

3 July 2023

To: Heads of Institution and HR Directors at all UCEA members

Dear Colleagues,

UCEA statement on QUB membership

Further to my message on Friday, please see below a statement in respect of Queen's University, Belfast

UCEA conducts collective pay negotiations with the five sector trade unions, on behalf of some 144 HE institutions, through the [New Joint Negotiating Committee for Higher Education Staff \(New JNCHES\)](#). Higher education institutions (HEIs) voluntarily decide to participate in these collective pay negotiations. When opting into sector collective pay negotiations, HEIs agree to follow the UCEA Code for Participating Employers.

Queen's University Belfast (QUB) opted into collective pay negotiations for 2023-24 and was, therefore, expected to follow the UCEA Code. On 28 June a [Joint Statement from Queen's University Belfast and the University and College Union \(UCU\), Queen's branch](#) confirmed a local agreement on pay had been made outside of the collective pay arrangements.

The UCEA Board considers this to be an extremely serious matter and that the actions of QUB are incompatible with continued membership of UCEA. The Board has granted QUB until 5pm on Wednesday 5 July to make representations and expects to make a final determination in this regard by Thursday 6 July.

Kind Regards,

Universities and Colleges Employers Association

20 Tavistock Square

London WC1H 9HU

From: [Robert Van de Noort](#)
To: [Dominik Zaum](#); [Elizabeth McCrum](#); [Mark Fellowes](#); [Parveen Yaqoob](#); [Peter Miskell](#); [Richard Messer](#); [Andrew Grice](#); [Caroline Baylon](#)
Subject: FW: UCEA statement on QUB membership
Date: 10 July 2023 13:29:07
Attachments: [image001.png](#)

ALL

See below – confirmation that QUB has had its membership of UCEA terminated for the next 3 years.

Robert

Professor Robert Van de Noort FSA PFHEI
Vice-Chancellor University of Reading
Chair Thames Regional Flood and Coastal Committee

Please read and reply to this email in your working hours only



From: UCEA Updates and Briefings <updatesandbriefings@ucea.ac.uk>
Sent: Monday, July 10, 2023 1:12 PM
To: @ucea.ac.uk>
Cc: UCEA All Staff <UCEAAllStaff@ucea.ac.uk>
Subject: UCEA statement on QUB membership

10 July 2023

To: Heads of Institution and HR Directors at all UCEA members

Dear Colleagues,

Please see below a statement regarding Queen's University, Belfast:

UCEA statement on QUB membership

UCEA conducts collective pay negotiations with the five sector trade unions, on behalf of some 144 HE institutions, through the [New Joint Negotiating Committee for Higher Education Staff \(New JNCHES\)](#). Higher education institutions (HEIs) voluntarily decide to participate in these collective pay negotiations. When opting into sector collective pay negotiations, HEIs agree to follow the UCEA Code for Participating Employers.

Queen's University Belfast (QUB) opted into collective pay negotiations for 2023-24 and was, therefore, expected to follow the UCEA Code. On 28 June a [Joint Statement from Queen's University Belfast and the University and College Union \(UCU\), Queen's branch](#) confirmed a local agreement on pay had been made outside of the collective pay arrangements.

The UCEA Board has now had a chance to consider the representations from QUB and has concluded that this an extremely serious matter and that the actions of QUB are incompatible with continued membership of UCEA. Accordingly, the Board has informed QUB of its decision to terminate their UCEA membership for a period of three years in the first instance.

Kind regards,

Universities and Colleges Employers Association
20 Tavistock Square
London WC1H 9HU

From: [Robert Van de Noort](#)
To: [Parveen Yaqoob](#); [Richard Messer](#); [Mark Fellowes](#); [Peter Miskell](#); [Elizabeth McCrum](#); [Dominik Zaum](#); [Andrew Grice](#)
Subject: Fwd: New JNCHES pay round 2023-24 – statement re Acas facilitated discussions between UCEA and trade unions
Date: 17 February 2023 19:56:36
Attachments: [Joint statement 2023-24 New JNCHES pay negotiations.pdf](#)
[20230217 - UCEA and TUs conclude the 2023-24 pay round Dispute Resolution procedure over pay.docx](#)

All

See the below and attached. The UCU has announced a two week cessation of IA to enable further discussion but this UCEA message implies no real change, certainly not on pensions.

Not sure what has changed, but I thought it best to share this with you without delay.

Robert

Sent from [Outlook for iOS](#)

From: UCEA Updates and Briefings <updatesandbriefings@ucea.ac.uk>
Sent: Friday, February 17, 2023 5:56 pm
To: UCEA All Staff
Cc:

Subject: New JNCHES pay round 2023-24 – statement re Acas facilitated discussions between UCEA and trade unions

17 February 2023

To: Heads of Institution and HR Directors

New JNCHES pay round 2023-24 – statement re Acas facilitated discussions between UCEA and trade unions

Dear colleagues,

As you are aware, UCEA representatives have been meeting with representatives from the five HE trade unions in Acas facilitated talks this week. We have now completed the New JNCHES Dispute Resolution Procedure for the pay negotiations of the 2023-24 negotiating round.

While further progress was made on the uplift at the lower end of the pay spine it is within the overall quantum and it was agreed that a pay impasse, rather than an agreement, has been reached. This completes the negotiations and discussions for pay, agreed as the priority phase by both parties in a bid to provide a proportion of early pay uplift six months early. We know that many of you will be anxious to plan for your March payroll and we expect to be able to advise you on implementation details in due course.

As part of the next phase of negotiations for 2023-24, both parties agreed to proceed to talks next week to determine the jointly agreed work necessary on other priority issues, including a joint commitment over a revised/refreshed pay spine, and a commitment to negotiations on contract types, workload and pay gaps.

Work will continue through Acas conciliation until end of February 2023, seeking to agree more detailed terms of reference and timescales for these substantive negotiations. UCEA will then consult its members while trade unions do so likewise.

We all recognised the need to allow for a period of calm to facilitate further Acas discussions and so no industrial action until the end of February will take place and no pay award will be implemented during that period.

We are pleased to be able to share the attached joint agreement/statement with you.

The attached news release is being issued and will be uploaded in our [News Releases section](#) presently.

If you have any questions, please feel free to email the UCEA team via IA@ucea.ac.uk.

Thank you for your continued patience, support and understanding.

Best wishes,

**Universities and Colleges Employers Association
Woburn House
20 Tavistock Square
London WC1H 9HU**

From: [Robert Van de Noort](#)
To: [Vice-Chancellor](#); [Andrew Grice](#); [Parveen Yaqoob](#); [Dominik Zaum](#); [Mark Fellowes](#); [Richard Messer](#); [Peter Miskell](#); [Elizabeth McCrum](#)
Subject: Fwd: UCEA - New JNCHES pay offer for 2023-24
Date: 12 January 2023 08:34:21
Attachments: [UCEA offer - 11 January 2023.pdf](#)
[List of Participating HEIs 2023.pdf](#)

All see below and attached FYI

Robert

Sent from [Outlook for iOS](#)

From: UCEA Updates and Briefings <updatesandbriefings@ucea.ac.uk>
Sent: Wednesday, January 11, 2023 5:44:46 PM
To: @ucea.ac.uk>
Cc: UCEA All Staff <UCEAAllStaff@ucea.ac.uk>
Subject: UCEA - New JNCHES pay offer for 2023-24

11 January 2023

To: Heads of Institution and HR Directors

New JNCHES pay offer for 2023-24

Dear colleagues,

Please find attached an offer which UCEA has today made to the five sector trade unions on behalf of all employers participating in the 2023-24 New JNCHES pay round.

You may recall that, at the end of November, UCEA believed that we had achieved a jointly agreed statement with the unions on a process for beginning the 2023-24 New JNCHES pay round. This statement included an agreement by both parties to de-escalate, which became problematic because of the subsequent announcements by some unions of further industrial action.

You will also be aware that we met the unions on Monday for a re-convened meeting of the 2023-24 New JNCHES pay round. We asked that the unions sign up to a process statement covering the 2023-24 New JNCHES round. We also asked that the unions separately considered pausing any industrial action while the negotiations take place.

The unions have now all confirmed in writing that they have agreed to the process for the 2023-24 pay round. The unions have also said they will consider pausing their plans for industrial action on receipt of our offer.

We have, therefore, today made a pay offer to the unions recognising that the cost of living pressures falls disproportionately on the lower paid staff. UCEA has also set out the intention to make a percentage of the uplift as an early interim pay uplift from February 2023, with the remainder of the uplift being awarded in August 2023. Although the offer provides different percentage uplifts to different groups of staff, depending on their pay point, the overall quantum is within the boundaries of the uplift which UCEA consulted members on in November.

We are aware that UCU has sent notices of a marking and assessment boycott to begin on 23 January 2023. However, you may be aware that a Branch Delegate Meeting (BDM) [yesterday voted](#) not to begin any such boycott until April 2023. The BDM outcomes, which include a re-ballot, are not binding and will have to be ratified by UCU's Higher Education Committee which meets tomorrow. Therefore, we are not able to say whether this action has definitely been postponed.

Our next New JNCHES meeting will take place on the afternoon of 16 January and we will provide further updates after that meeting. A HRD Insights meeting is scheduled for the morning of 16 January (if you are yet to book, you can via www.tickettailor.com/events/ucea/827265) and we will be able to provide more information on the negotiations and related matters then, as well as seeking sector feedback on our negotiating stance.

Also attached to this message is the list of participating employers for the 2023-24 pay round. The list and offer are accessible via our [2023-24 New JNCHES pay round page](#). If you have any queries about the list please contact @ucea.ac.uk.

Best wishes,

Universities and Colleges Employers Association
Woburn House
20 Tavistock Square
London WC1H 9HU

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Statement re Acas facilitated discussions between UCEA / joint HE trade unions

**This joint statement has been agreed between UCEA and the HE trade unions:
EIS, GMB, UCU, UNISON and Unite**

1. Both parties agree that some progress at the lower end of the pay spine has been made in Acas discussions on pay as part of the New JNCHES Dispute Resolution Procedure, although an impasse, rather than an agreement, has been reached, and it is agreed that with regard to pay the Dispute Resolution Procedure has been exhausted.

2. Both parties have agreed to proceed to time-limited talks to determine the work necessary on the following issues:

- A joint commitment to time-limited negotiations aimed at agreeing a revised/refreshed pay spine - with detailed aims/terms of reference agreed with the support of Acas in advance. The aims of this review would be to address the pay compression that has developed over recent years.
- A commitment to time-limited negotiations on contract types, workload, and pay gaps - with detailed aims/terms of reference agreed with the support of Acas in advance. With respect to contract type, workload, and pay gaps, the trade unions welcome UCEA's commitment to use its leadership and convening power to identify concrete steps which employers are able to commit to.

When terms of reference and timescales have been agreed, UCEA will consult its members on the substantive points above in order to establish a firm mandate to return to time limited negotiations on each of these.

3. As a positive first step, UCEA has agreed to consult its members, with a positive recommendation to take action on zero hours contracts. While the contractual arrangements offered to employees will be for individual institutions to determine, we would expect indefinite contracts with a fixed or minimal hours to be the general form of employment relationship between employers and employees in HEIs. We accept that there will be specifically defined reasons in any organisation for offering indefinite or fixed term employment arrangements without fixed or minimum hours where it is appropriate. We would expect these reasons to be discussed between HEIs and their local trade unions.

4. Work will continue through Acas conciliation until the end of February 2023 to seek to agree more detailed terms of reference and timescales for these substantive negotiations.

5. In recognition of the above and to allow for a period of calm to facilitate further Acas discussions:

- UCU will pause industrial action and not call any new industrial action in weeks commencing 20 and 27 February on the basis that no pay award will be imposed/implemented by HEIs during that period.

- UNISON will pause industrial action in weeks commencing 20 and 27 February on the basis that no pay award will be imposed/implemented by HEIs during that period.
- Unite will pause any industrial action in weeks commencing 20 and 27 February, on the same basis as UCU and Unison.
- EIS have no industrial action planned before 27 February.
- GMB have no industrial action planned.

17 February 2023





The Rt Hon Robert Halfon MP

Minister for Skills, Apprenticeships and Higher Education

Sanctuary Buildings 20 Great Smith Street Westminster London SW1P 3BT
tel: 0370 000 2288 www.education.gov.uk/contactus/dfe

11 August 2023

Dear Raj,

I am writing to you with regard to the ongoing pay dispute between higher education providers and members of the University and College Union (UCU). I have also written to UCU on this matter.

Although the government plays no formal role in resolving such disputes, I am deeply concerned about the impact of the ongoing marking and assessment boycott on students. It is unacceptable that students, many of whom have already suffered significant disruption to their studies over recent years, face further disruption and uncertainty. This disruption is particularly damaging to those students who are due to graduate and looking to enter the jobs market or progress to further study.

I am aware that the recent negotiations between UCU and the University and College Employers Association (UCEA) have broken down, and so the marking and assessment boycott continues, with the potential for further industrial action into the forthcoming academic year. The government's priority during any industrial action in higher education is the protection of students' interests. For this reason, I strongly urge both UCU and UCEA to resume negotiations which I hope, if successful, will bring an end to the boycott and further industrial action.

In the meantime, it is imperative that higher education providers and their staff continue to do all they can to minimise disruption and provide clarity to their students. This means that all students who are eligible should be able to graduate as soon as possible, enabling them to continue to enter planned graduate employment or postgraduate study. Wherever possible, I would encourage higher education providers to award degrees when they have enough evidence of a student's prior attainment to do so.

This government believes students should be at the heart of the higher education system. This is why we set up the Office for Students (OfS) to regulate the higher education sector in England, protect student rights and ensure the sector is delivering real value for money. I am aware that the OfS wrote to institutions affected by the boycott on 12 June to reiterate its expectations in relation to its conditions of registration. The OfS have also published guidance to students on their rights during

industrial action and are continuing to monitor this ongoing situation through their normal regulatory mechanisms.

I urge you and your members to do everything within your powers to protect the interests of students during industrial action in higher education. My officials and I will continue to engage with the higher education sector over the coming weeks to help better understand how students' interests can be protected during this time.

Yours sincerely,

A handwritten signature in black ink, reading "Robert Halfon". The signature is written in a cursive style with a large initial 'R'.

The Rt Hon Robert Halfon MP
Minister for Skills, Apprenticeships and Higher Education

List of Participating HEIs 2023-24

	HEIs in 2023-24
1	University of Aberdeen
2	Abertay University
3	Aberystwyth University
4	Anglia Ruskin University
5	University of the Arts London
6	Arts University Bournemouth
7	Aston University
8	Bangor University
9	University of Bath
10	Bath Spa University
11	University of Bedfordshire
12	Birkbeck, University of London
13	University of Birmingham*
14	Bishop Grosseteste University
15	University of Bolton
16	Bournemouth University
17	University of Bradford
18	University of Brighton
19	University of Bristol
20	Brunel University London
21	Buckinghamshire New University
22	University of Cambridge
23	Canterbury Christ Church University
24	Cardiff Metropolitan University
25	Cardiff University
26	University of Central Lancashire
27	University of Chester
28	University of Chichester
29	City, University of London
30	Courtauld Institute of Art
31	Coventry University
32	University of Cumbria
33	De Montfort University
34	University of Derby*
35	University of Dundee
36	Durham University
37	University of East Anglia
38	University of East London
39	Edge Hill University
40	University of Edinburgh
41	Edinburgh Napier University
42	University of Essex

43	University of Exeter
44	Falmouth University
45	University of Glasgow
46	Glasgow Caledonian University
47	Glasgow School of Art
48	University of Gloucestershire
49	Wrexham Glyndŵr University
50	Goldsmiths, University of London
51	University of Greenwich
52	Harper Adams University
53	Heriot-Watt University
54	University of Hertfordshire
55	University of Huddersfield
56	University of Hull
57	Keele University*
58	University of Kent
59	King's College London
60	Kingston University London
61	Lancaster University
62	University of Leeds
63	Leeds Beckett University
64	Leeds Trinity University
65	University of Leicester
66	University of Lincoln
67	University of Liverpool
68	Liverpool Hope University
69	Liverpool Institute for Performing Arts
70	Liverpool John Moores University
71	Liverpool School of Tropical Medicine
72	London Metropolitan University
73	London School of Economics & Political Science
74	London School of Hygiene & Tropical Medicine
75	London South Bank University
76	University of London (Senate)
77	Loughborough University
78	University of Manchester
79	Manchester Metropolitan University
80	Middlesex University
81	Newcastle University
82	Newman University
83	University of Northampton
84	Northumbria University
85	Norwich University of the Arts
86	University of Nottingham*

87	Open University
88	University of Oxford
89	Oxford Brookes University
90	University of Plymouth
91	University of Portsmouth
92	Queen Margaret University
93	Queen Mary University of London
94	Queen's University Belfast
95	University of Reading
96	Robert Gordon University
97	University of Roehampton
98	Rose Bruford College
99	Royal Academy of Music
100	Royal Agricultural University
101	The Royal Central School of Speech & Drama
102	Royal College of Art
103	Royal College of Music
104	Royal Holloway, University of London
105	Royal Northern College of Music
106	Royal Veterinary College
107	University of Salford
108	University of Sheffield
109	Sheffield Hallam University
110	SOAS, University of London
111	University of Southampton
112	Solent University, Southampton
113	University of South Wales
114	University of St Andrews
115	St George's University of London
116	St Mary's University College, Belfast
117	St Mary's University, Twickenham
118	University of Stirling
119	Plymouth Marjon University
120	Stranmillis University College
121	University of Strathclyde
122	University of Suffolk
123	University of Sunderland
124	University of Surrey
125	University of Sussex
126	Swansea University
127	Teesside University
128	Trinity Laban
129	Ulster University
130	University College Birmingham

131	University College London
132	University for the Creative Arts
133	University of Wales Trinity Saint David
134	University of Warwick
135	University of West London
136	University of the West of England, Bristol
137	University of the West of Scotland
138	University of Westminster
139	University of Winchester
140	University of Wolverhampton
141	University of Worcester
142	University of York
143	Writtle University College
144	York St John University

* Participate for part of the workforce only.

Joint Higher Education Sector Trade Unions

By email

11 May 2023

2023-24 New JNCHES pay round

At UCEA's suggestion, with union support, negotiations on the 2023-24 pay award began early in order to provide support to staff through the current cost of living pressures. The pay award saw almost half of the increase delivered six months early, helping colleagues working across the sector and strongly weighted towards those on the lowest pay points.

Despite the financial pressures facing the sector, the 2023-24 pay award is comparable to settlements in the wider economy. Most HE institutions continue to face considerable financial uncertainty, with many posting deficits. Student tuition fees in England have been frozen until at least 2025, the Welsh Government Budget shows a cut to higher education funding for 2023-24, the Scottish Government has just announced a £20m reduction to the amount promised in its draft Budget and in Northern Ireland the Department for the Economy's Budget for further and higher education could be cut by almost 20% in 2023-24. Many HE institutions are also looking at substantial increases in employer contributions in the Teachers' Pension Scheme.

The pay uplift is at a level which, therefore, many employers will find financially challenging. UCEA has gone as far as it can in balancing a meaningful uplift with the viability of HEIs across the sector. In a number of HEIs, jobs will already be at risk as a result of this pay uplift. For these reasons, as we have consistently explained to you, neither UCEA nor the sector has any ability to improve upon the 2023-24 pay award.

However, through our Acas collective conciliation talks, the unions identified many other issues where useful progress could be made, particularly in relation to reform of the pay spine; the disability, ethnicity and gender pay gaps; workload, and contract types. These are all important areas in which employers share an aspiration to develop proposals and principles which will help institutions to support their staff.

UCEA has been clear that it is only able to enter into discussions with the Joint Higher Education Unions on the basis of the Acas terms of reference, endorsed by negotiators on both sides, on the understanding that no further industrial action takes place or is called during such talks.

It is disappointing, therefore, that UCU has begun a marking and assessment boycott, given that its fundamental purpose is to prevent students from progressing or graduating. Given the potential disruption to any student affected by the action, extensive mitigations have been put in place. However, UCEA will not enter into discussions with the unions while the marking and assessment boycott or any other form of industrial action continues. This is regrettable but, given the potential to harm students, it is a legitimate response from the employers' side.

I would reiterate that, if the marking and assessment boycott is called off, UCEA retains its strong desire to begin constructive dialogue with the trade unions on the basis of the Acas terms of reference.

In the absence of any joint work, our members as autonomous employers will continue to develop their own approaches to many of these issues, as will UCEA, building on the substantial good practice which already exists across the sector. For example, the commitment of employers to taking action to reduce the gender, ethnicity and disability pay gaps was highlighted by the UCEA report *Caught at the crossroads: outlining an intersectional approach to gender and ethnicity pay gaps in HE* and *Taking action: Tackling the gender pay gap*.

If your position should change, UCEA currently remains willing to commence joint work with the unions on the basis of the Acas terms of reference. However, our concern is that the moment for this is slipping away. If we do not hear back from you positively by 18 May 2023, we will consider the terms of reference to have lapsed.

In the meantime, while employers respect the right of union members to take lawful industrial action, HE institutions have a duty to protect their students education/learning and so they reject partial performance. As you will be aware, employers are legally entitled to withhold full pay for partial performance of duties, including participation in the marking and assessment boycott.

Yours sincerely,

Jo Grady
General Secretary
University and College Union

By email

4 August 2023

Dear Jo,

2023-24 Negotiating Round

Thank you for your letter of 2 August 2023. I would agree with you that the first of our three meetings was constructive and that, like UCU, UCEA was similarly hopeful that the exploratory talks would lead to a positive outcome, particularly for those students that have been and those students who continue to be impacted by UCU's marking and assessment boycott. However, I would take issue with every other aspect of your letter.

UCU set out four preconditions or "provisos" for an 'interim agreement' to halt the marking and assessment boycott. It was clear from the outset of the talks, and in my letter to you of 4 July, that there were differences in the position of UCU and UCEA in relation to your preconditions. However, we entered into the exploratory talks in good faith to identify any opportunity for an agreement which would allow negotiations to resume, having communicated in advance of those talks that there was no mandate for UCEA to improve on the 2023-24 pay uplift.

Throughout the talks, UCU's main concern was that pay legitimately deducted for staff who refused to carry out their marking and assessment responsibilities for their students should be returned. We listened to UCU's arguments, but we also explained why UCEA could not make such a recommendation. However, we did respond to all four provisos in your letter, agreeing to two of them and making an offer in respect of a third. UCU has made no acknowledgment of this either in the meetings or in your subsequent letter; nor have you offered a counter proposal which might move forward the discussions. While UCEA has shown some flexibility in its position, in our talks UCU has shown none. Instead, UCU made repeated references to the prospect of legal action against the pay deductions and has subsequently stated that it will do everything possible to back legal action. This was and is unhelpful in building the trust and confidence in the talks to which I had hoped both sides were committed. This is extremely disappointing.

I also take issue with your suggestion that we have taken too long to organise meeting dates, given that we were able to schedule three meetings within a fortnight. As indicated in my letter of 31 July, we also remain willing to reconvene our last meeting with you.

It is deeply regrettable that, despite UCEA awarding a pay uplift, including an interim uplift six months earlier than was due, which stretched many institutions financially, UCU has called on its members to participate in its damaging marking and assessment boycott. Although only a minority of academic staff are participating in the boycott, if even a single student has their graduation or progression disrupted because of UCU's action, this is unacceptable.

I am sure you will agree that significant progress was made earlier this year when terms of reference for further negotiations were agreed through Acas collective conciliation. Those terms of reference offered the opportunity to make progress on significant issues of importance to employers and unions alike - on the pay spine, workload, contract types and pay gaps. These terms of reference were agreed by UCU's own negotiation team, only to then be put to members with a recommendation that they be rejected.

While UCEA remains committed to seeking a resolution to the dispute which would allow UCU to end its marking and assessment boycott, it feels increasingly unlikely that this will be achieved through our exploratory talks solely with UCU. As you know, our ability to continue negotiations on the above matters from phase two of the negotiating round was contingent upon there being an acceptance of the Acas terms of reference and there being no further industrial action. UCU's marking and assessment boycott, therefore, prevented any progress in the important areas covered by those terms or reference.

I hope you will recognise that much of the difficulty in negotiations in recent years over pay has been caused by a fundamentally different understanding of the sector's finances and ability to pay uplifts. Rather than reconvening the adjourned exploratory talks with UCU, UCEA would propose that we convene a meeting with all five Joint HE Trade Unions to firstly seek to finalise and agree the terms of reference and membership of the independent assessment of sector finances and, in quick succession, further meetings, as required, with the aim of finalising the terms of reference on the other matters to enable us to begin the important work in each of the four areas identified within them. We propose that we jointly approach Acas to consider facilitation of these meetings.

I will be writing in similar terms to the Joint Union Side Secretaries.

Yours sincerely,

A handwritten signature in black ink that reads "Raj Jethwa". The signature is written in a cursive style and is underlined with a single horizontal stroke.

Raj Jethwa
Chief Executive

cc Shahenda Suliman, UCU
 Ruth Smith, UNISON

From: [UCEA Updates and Briefings](#)
To:
Cc: [UCEA All Staff](#)
Subject: UCEA letters to MPs in response to UCU MAB
Date: 10 May 2023 13:02:53
Attachments: [Letter from Raj Jethwa, UCEA to Beth Winter MP.pdf](#)
[Draft letter for HoIs to respond to local MPs - revised 10 May 2023 version.docx](#)

10 May 2023

To: Heads of Institution and HR Directors. Please share with communications colleagues as appropriate.

Dear colleagues,

With the UCU's ongoing Marking and Assessments boycott (MAB) campaigning we are providing new and updated letters to MPs and reminding colleagues of the other available communications materials.

UCU's '[we have your back](#)' campaign includes '[Ask your MP to put pressure on university vice-chancellors](#)' letter templates and there are also templates for MPs - <https://twitter.com/ucu/status/1650921210472022022?s=12&t=5aoywn6ey0gkPMRngGHkzw> - both in reaction to MAB pay deductions.

UCU's recent [Scores of MPs and Peers condemn brutal university staff pay deductions](#) media release included a link to the letter from Beth Winter, Labour MP for Cynon Valley, to Raj Jethwa. Raj's response is attached and accessible to all on UCEA's [Union disputes 2022-23 page](#).

UCEA communications materials

We have also updated the (attached) 'Draft letter in response to MPs' which was originally circulated on 26 April and is also available via UCEA's [2023-24 pay round communications materials page](#) alongside the recent '3 in 3' key messages and student communication for UCU MAB.

Members are also reminded that UCEA's most recent statement, [HE institutions have a duty to protect their students during the MAB](#) is for HE institutions to use in reaction to UCU's unfair claim that HE employers withholding pay for not fulfilling contracts are simply "threats" that are "aimed at intimidating".

For media enquiries and communications support please contact @ucea.ac.uk or @ucea.ac.uk. If you have any HR specific questions, please contact the Employment Policy and Advice team – ia@ucea.ac.uk

Kind regards,

Universities and Colleges Employers Association
Woburn House
20 Tavistock Square, London

WC1H 9HU
www.ucea.ac.uk

From: [UCEA Updates and Briefings](#)
To: [UCEA All Staff](#)
Subject: UCEA news release - UCU's MAB impact limited but HE institutions prioritise protecting their students
Date: 15 May 2023 17:50:22

15 May 2023

To: Heads of Institution and HR Directors. Please share with communications colleagues as appropriate.

Dear colleagues,

Please note that with the UCU's Marking and Assessments (MAB) boycott ongoing campaign claims we are providing regular communications for members.

We have just released [UCU's MAB impact limited but HE institutions prioritise protecting their students](#) as it includes new MAB feedback from HE institutions and explains why that the ball is in UCU's court. HE institutions have a duty to protect their students and so they reject partial performance and - as UCU knows - they are legally entitled to withhold full pay for partial performance of duties such as MAB.

Members are encouraged to communicate regularly with staff and students and are reminded that UCEA's [2023-24 pay round communications materials page](#) hosts adaptable messages, and these now include the new and updated:

- UCEA '3 in 3' key messages for UCU MAB
- UCEA student communication for HEIs
- Draft letter in response to MPs
- UCEA template response to UCU message of sector deficits

For media enquiries and communications support please contact @ucea.ac.uk or @ucea.ac.uk. If you have any HR specific questions, please contact the Employment Policy and Advice team – ia@ucea.ac.uk

Kind regards,

Universities and Colleges Employers Association
Woburn House
20 Tavistock Square, London
WC1H 9HU
www.ucea.ac.uk

From: [UCEA Updates and Briefings](#)
To:
Cc: [UCEA All Staff](#)
Subject: UCEA news release - UCU's must be honest with their members when it comes to the 2023-24 pay round
Date: 17 May 2023 16:34:59
Attachments: [20230517 - UCU must be honest with their members when it comes to the 2023-24 pay round.docx](#)

17 May 2023

To: Heads of Institution and HR Directors. Please share with communications colleagues as appropriate.

Dear colleagues,

UCU's IA campaigning and social media material is now focusing on [their own analysis of sector finances](#).

While this has not yet achieved national media coverage, UCEA did release [UCU's must be honest with their members when it comes to the 2023-24 pay round](#) (and attached) in response. Our statement, clarifying why their claims and calculations are unfair and unclear, are intended for our member HE institutions to adopt and adapt accordingly in their own communications. It is important that UCU's messages don't go unchallenged. Furthermore, the OfS annual report on financial sustainability is due tomorrow, reigniting interest in sector and institution finances.

We appreciate the positive feedback received from our [UCU's MAB impact limited but HE institutions prioritise protecting their students](#) media release on Monday. Members and media found the updated feedback on the impact of the MAB on students at their HE institutions particularly useful. UCEA will look to collect similar data via a poll next week.

To ensure rounded messages members are encouraged to communicate regularly with staff and students and are reminded that UCEA's [2023-24 pay round communications materials page](#) hosts adaptable messages, including:

- UCEA '3 in 3' key messages for UCU MAB
- UCEA student communication for HEIs
- Draft letter in response to MPs
- UCEA template response to UCU message of sector deficits

For media enquiries and communications support please contact [@ucea.ac.uk](#) or [@ucea.ac.uk](#).

If you have any HR specific questions, please contact the Employment Policy and Advice team – [ia@ucea.ac.uk](#)

Kind regards,

**Universities and Colleges Employers Association
Woburn House
20 Tavistock Square, London**

WC1H 9HU
www.ucea.ac.uk

Jon Hegerty and Ruth Smith
Joint Union Side Secretaries
Joint Higher Education Sector Trade Unions

By email

11 January 2023

Dear Jon and Ruth,

2023-24 New JNCHES pay round

I would like to thank you and the other higher education trade unions for agreeing to the process for an early start to the 2023-24 New JNCHES pay round. We received this confirmation from all five sector trade unions earlier today. For ease of reference, the agreed process is attached as Appendix 1. Now that we have this confirmation, UCEA is able to make an offer in respect of the pay uplift for 2023-24.

As we have stated previously, higher education institutions (HEIs) understand the anxieties facing many members of staff as inflation pushes up the price of energy and everyday necessities. Similarly, many HEIs themselves face significant increases in costs against a backdrop of already stretched finances. A significant number of HEIs remain in deficit, while the median surplus across the sector is a modest 2 percent of total income. As a consequence, while employers have a great deal of sympathy with staff coping with cost of living pressures, no HEI could offer a pay award that would get close to current levels of inflation.

However, UCEA is committed to working constructively with the HE trade unions to reach an early settlement to the 2023-24 New JNCHES pay round. In order to reach a swift conclusion to these negotiations, UCEA is willing to make the following offer for the 2023-24 New JNCHES pay round from 1 August 2023:

Spinal Column Points	Uplift
3 to 14	7%
15 to 25	6%
26 to 42	5%
43 to 51	4%

This structure of pay award would ensure an uplift of 7 percent for all staff earning up to and including £22,662. It would ensure an uplift of at least 6 percent for staff earning up to and including £30,502. All staff earning £50,300 or below would receive a minimum uplift of 5 percent. This would be in addition to any incremental progression due to individual members of staff. As we have previously identified, this is typically worth 3 percent in addition to the base pay uplift.

If an agreement can be reached on these percentage uplifts for 2023-24, we are prepared to implement a proportion of this award as an interim uplift from February 2023, which is within the 2022-23 financial year.

This is a significant financial risk for many HEIs who are unable to forecast with certainty their income for 2023-24. However, to provide support to staff, our members understand the importance of trying to make an early pay award.

Our proposal would that, from 1 February 2023, there would be an interim uplift for staff based upon the following distribution:

Spinal Column Points	Uplift
3 to 14	2.8%
15 to 25	2.4%
26 to 42	2%
43 to 51	1.6%

The remainder of the uplift would then be awarded in August 2023, as follows:

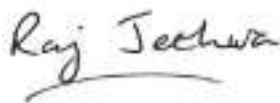
Spinal Column Points	Uplift
3 to 14	4.2%
15 to 25	3.6%
26 to 42	3%
43 to 51	2.4%

It is clear that employers' level of affordability across the sector is modest in comparison to the unions' desire for a pay uplift in excess of any measure of inflation. However, we hope that our proposals will be recognised by the Union Side and the HE workforce as a genuine attempt by employers to address the cost of living pressures that they face.

As we have previously discussed, following the conclusion of the negotiations relating to the pay award for 2023-24, UCEA is then prepared to begin negotiations over the additional non-pay items submitted by the Unions' joint claim for 2023-24 in line with the jointly agreed process.

We look forward to discussing this offer with you at our next scheduled meeting on Monday 16 January 2023.

Yours sincerely,



Raj Jethwa
Chief Executive

Appendix 1

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

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

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

Procedure

The round consists of three negotiating meetings between UCEA and the five joint trade unions, on 9th January (re-convened from 13th December 2022), 16th January 2023 and 25th January 2023, on the pay award for 2023-24.

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

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

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

Joint Higher Education Sector Trade Unions

By email

16 June 2023

2023-24 New JNCHES negotiating round

Thank you for your letter of 25 May 2023.

As you will recall, in January UCEA and the unions agreed to amend the procedure for the 2023-24 pay round so that we could begin and conclude the pay negotiations on an earlier and accelerated timescale, in order to seek to address the cost of living pressures facing staff in the sector. Negotiations on non-pay items would commence only once the negotiations on pay, including the dispute resolution process, had been concluded.

The acceleration in 2023-24 negotiations led to a minimum uplift of £1,000 on all points from February 2023, with a further increase planned from August. The pay uplift for 2023-24 is at the limits of the sector's affordability and cannot be revisited. Given that UCEA represents approximately 150 HE institutions (HEIs) in collective pay negotiations, we have to balance affordability with our shared desire for a meaningful pay uplift. Aggregate data on sector finances do not provide an adequate explanation of affordability for individual HEIs. However, in preparation for future negotiating rounds, UCEA is willing to work with the trade unions to arrive at a shared perspective on sector finances. We propose an independently facilitated exercise to establish the factual position in relation to funding and the financial challenges facing institutions.

[In February](#) the unions and UCEA agreed that dispute resolution in respect of pay had been exhausted. We also jointly agreed, through Acas, to develop terms of reference for negotiations on non-pay items. Once those terms of reference were agreed, UCEA undertook to consult its members on a firm mandate for time-limited negotiations on each of these areas.

UCEA remains committed to this process and to further negotiations on the basis of the jointly agreed Acas Terms of Reference. However, to date the Joint Higher Education Trade Unions have not communicated that they are willing to continue negotiations using the Acas Terms of Reference.

I would be grateful if the unions are able to confirm that they accept the Acas terms of reference as the basis for further talks, and that they are willing to pause industrial action for those talks to proceed. If the unions are unable to provide this confirmation, regrettably, UCEA will now regard the Acas terms of reference as lapsed.

The pay uplift was implemented with effect from February, following the conclusion of the 2023-24 pay negotiations. HE institutions permitted us to accelerate this process as well as push the pay packet to the sector's limit. Anything more would put further jobs at risk and increase workloads for colleagues.

For the absence of doubt, **UCEA does wish to continue our negotiations with the unions on the issues covered by Phase Two of the 2023-24 New JNCHES negotiating round if the marking and assessment boycott is called off**, specifically:

- Reform of the pay spine
- Use of contract types and improving job security
- Workload
- Gender, ethnicity and disability pay gaps in the sector – noting that they have been coming down and are lower than in the wider economy.

We very much hope that unions will come back to the table to progress these talks, on the basis set out in this letter.

From: [UCEA Updates and Briefings](#)
To:
Cc: [UCEA All Staff](#)
Subject: UCEA's strategic plan, purpose and values
Date: 27 April 2023 10:13:56

27 April 2023

To: Heads of Institution and HR Directors

Please distribute to: Registrars & COOs, Finance Directors, Communications Directors, Chairs of Governors, HR and Finance teams, Pensions Managers, Reward specialists, Payroll Managers, Health and Safety Officers

Two years ago, we circulated the [UCEA strategic plan - Agility in a time of uncertainty - and accompanying blog](#). While the reasons surrounding the uncertainty may have shifted slightly, the overall level of uncertainty has certainly not eased. As a result, our Board has decided to extend the 30 month strategic plan beyond September 2023, taking us to the end of the 2023-24 academic year. This will allow for inclusion of the findings of our current membership survey (we thank you for your participation) and a range of other ongoing priorities and projects, including the National Conversation on Pay Bargaining. It will also mean that a new strategy is launched once the future of the USS Employer Representative role has been decided.

Members are also advised that following Board input and approval our organisational purpose was revised earlier this month as follows:

UCEA is the leading voice on employment and reward matters in the UK Higher Education sector. We support our members to be employers of choice through collaboration, advocacy and expert advice.

UCEA has also developed five core values which, as our behavioural compass, will guide our actions at an individual, organisational and sector level:

- Leadership - We consult, challenge and provide thought leadership
- Expertise - We develop and share our knowledge, information and evidence-based insight
- Inclusivity - We respect differences and utilise the benefits they offer
- Integrity - We demonstrate and promote what is right to uphold the highest standards
- Aspiration - We encourage learning, innovation and forward thinking

Finally, I wanted to let you know that, in light of the very serious allegations concerning the CBI, UCEA has joined many businesses in suspending its membership and all activities with the CBI until further notice.

We thank our members for your ongoing support.

Universities and Colleges Employers Association
Woburn House
20 Tavistock Square, London
WC1H 9HU
www.ucea.ac.uk

Raj Jethwa
UCEA
Via e-mail

02 August 2023

Dear Raj

I write to you following your letter dated 31 July, which was sent after UCEA agreed to send dates last week for an urgent meeting and then failed to do so.

You note in your letter that UCEA and UCU with the UNISON joint secretary observer have had three meetings to explore the issues I set out in my letter on 30 June. Whilst we felt that the first meeting was constructive, with UCEA indicating a genuine willingness to address the issues raised, it has since become clear that UCEA had no intention of reaching an interim agreement that would allow us to suspend the marking and assessment boycott.

UCU made it clear at the beginning of our last meeting on 27 July that if the terms set out in UCEA's document which you have repeated in your latest letter were UCEA's final position there was little benefit to continuing the meeting. UCEA representatives, including yourself, insisted that you were open to exploring forms of redress and that the meeting should go ahead. The meeting was concluded with UCEA agreeing to reconsider your position and provide urgent dates for a fourth and final meeting.

During these meetings UCU repeatedly set out the issues facing international students on Tier 4 visas, and the need to prioritise students who are particularly impacted by the dispute. We also outlined specific concerns of final year students, postgraduate students, and others across the sector who needed and deserved a resolution of this dispute, or at the very least an interim agreement allowing us to suspend the boycott. We came prepared to reach a compromise and negotiate in good faith for the benefit of staff, students, and the sector as a whole. It is clear from your correspondence and 'offer' that UCEA had no such intention. Your letter reflects much of what is wrong with a sector where employers have demonstrated disregard and, in too many cases, outright disdain for the staff who work so hard to keep the sector afloat. That UCEA has doubled down on its position that staff who have continued to otherwise fulfil their contractual duties except for marking and assessment deserve continued punishment and hardship shows our members exactly what the sector's leadership thinks of them.

At a time when staff in comparable professions across the compulsory education, health, and other sectors are presented with higher pay uplifts in sectors that have been chronically underfunded, and have stood down action as a result, UCEA's repeated complaints of affordability and refusal to reconsider its offer ring increasingly hollow.

UCU entered these talks with optimism that we could de-escalate the dispute and eventually reach a resolution. The UCU negotiators and I put forward multiple pathways to a resolution, but UCEA rejected every single one, often without a clear rationale for doing so other than that relieving the disproportionate financial pain felt by staff was not an option. We have made ourselves available to meet on numerous days whilst UCEA dithered about availability, pushing meetings into the long grass, and finally failing to even offer dates for the latest meeting.

It is now clear that there was never any serious intention to consider an interim agreement, let alone seriously addressing the wider issues of the dispute. UCEA has made it clear that improving industrial relations, the future of students, and the health, safety and wellbeing of staff are not your priorities – instead it feels as though they are seen as an obstacle to crushing staff morale.

UCU came with solutions and a willingness to work jointly for the sake of the sector. UCEA returned with even more punitive pre-conditions to talks and no plan for the future of higher education.

You have asked whether UCEA's punitive terms provide a basis for reconvening the adjourned meeting. UCEA must surely know that your terms render any discussions impossible for you have once again already unilaterally dictated the outcome of what are supposed to be joint talks between two parties. Our members will recognise this.

Our door remains open for talks as it has always been, and that includes for the final meeting to seek an interim agreement to suspend the MAB. If UCEA's position remains that the terms set out in your letter are your final position, I would be grateful if UCEA could confirm this in writing as you will appreciate there is no value in a meeting where one side refuses to even consider a compromise.

Be under no illusions – the issues under dispute are of prime importance to our members and we know they will support a rebalot if you are unwilling to compromise. There is still time to avert this long-running dispute continuing into the next academic year – the ball remains in your court.

Yours sincerely,

A handwritten signature in black ink that reads "Jo Grady". The signature is written in a cursive, slightly slanted style.

Dr Jo Grady
General Secretary