

University and College Union

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To Branch and local association secretaries

Topic **Unconfirmed minutes of UCU annual Congress 2018**

Action For information; for adoption at Congress 2019

Summary Minutes of the Congress meeting held 30 May – 1 June 2018

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Meeting of the Congress of the University and College Union (UCU)

30 May – 1 June 2018, Manchester Central Convention Centre

FIRST SESSION OF CONGRESS, WEDNESDAY MORNING, 30 MAY

1 OPENING BUSINESS

- 1.1 Joanna de Groot, president and chair of Congress, welcomed delegates, and addressed Congress.
- 1.2 Congress appointed those regional officials and regional support officials of the union present to act as tellers.
- 1.3 **Electronic voting**

The chair introduced the option of electronic voting to Congress and explained the background to this proposal. The chair moved that Congress suspend the first clause of standing order 38, in order to permit electronic voting to be used for any vote which required a count.

Marion Hersh (NEC) raised a point of order.

Rachel Cohen (NEC) spoke against the proposal and the chair exercised her right of reply.

The motion to suspend standing orders in order to use electronic voting, which required a two thirds majority, was **LOST**.

2 REPORT OF THE CONGRESS BUSINESS COMMITTEE

- 2.1 Alan Barker (University of Nottingham), chair of the Congress business committee (CBC), moved the second (UCU/877) and third (UCU/877B) reports of the Congress business committee.
- 2.2 Pauline Hall (South East regional committee) moved that motion B1 be ordered onto the agenda.

- 2.3 Mike Larkin (Scottish retired members) moved that motion B14 be ordered onto the agenda.
- 2.4 Sam Morecroft (University of Sheffield) moved that motion B19 be ordered onto the Congress agenda.
- 2.5 Glyn Heath (University of Salford) moved that motions B22 and B23 be ordered onto the Congress agenda.
- 2.6 Anindya Raychaudhuri (University of St Andrews) moved that motion B24 be ordered onto the Congress agenda.
- 2.7 Alan Barker (University of Nottingham, chair of CBC) responded, and subsequently reported the intention of the movers of motion B19 that it be taken in parts, with part of the motion withdrawn.
- 2.8 The proposal to order motion B1 onto the Congress agenda was CARRIED.
- 2.9 The proposal to order motion B14 onto the Congress agenda was CARRIED (164 votes in favour, 48 against, 35 abstentions).
- 2.10 The proposal to order motion B19 onto the Congress agenda was CARRIED by a two thirds majority (170 votes in favour, 83 against, 17 abstentions). As a result of motion B19 being ordered onto the Congress agenda, the staff of UCU left the Congress hall to attend an emergency union meeting. The president announced the suspension of Congress.
- 2.11 Congress re-convened. The chair reported that meetings were ongoing to resolve the issues that had caused UCU staff to leave the Congress hall. The chair announced an extension of the suspension of Congress.
- 2.12 Congress re-convened. The chair reported that agreement had been reached between the staff of the union and the movers of motions B19, and, additionally, between the staff of the union and the movers of motion 7. UCU staff returned to the Congress hall.
- 2.13 The proposal to order motion B22 onto the Congress agenda, which required a two-thirds majority, was LOST (143 votes in favour, 88 against, 15 abstentions).
- 2.14 The proposal to order motion B23 onto the Congress agenda, which required a two-thirds majority, was CARRIED.
- 2.15 The proposal to order motion B24 onto the HE sector conference agenda, which required a two-thirds majority, was CARRIED (153 votes in favour, 70 against, 33 abstentions).
- 2.16 A proposal was moved by Rachel Cohen (NEC) in respect of the conduct and timing of the remaining sessions of Congress. Jenny Prideaux (NEC) and Joe Gluza (University of Cambridge) spoke against the proposal. The proposal, which required a two-thirds majority, was LOST.

SECOND SESSION OF CONGRESS, WEDNESDAY AFTERNOON, 30 MAY

Joanna de Groot, president, was in the chair.

3 MESSAGE OF SUPPORT FROM JEREMY CORBYN, LABOUR LEADER

A video greeting of support from Jeremy Corbyn, MP and leader of the Labour party, was shown to Congress.

4 ADVICE OF CONGRESS BUSINESS COMMITTEE

- 4.1 Alan Barker (University of Nottingham, chair of CBC), reported the committee's advice to the chair on the order and conduct of business, and proposed that standing orders be suspended to reduce speaking times to three minutes for movers of motions and two minutes for all other speakers; that motions marked EP (existing policy) be moved and seconded formally, and that where there was no opposition to a motion, the vote be taken after one speaker. A debate of 30 minutes for the report of the commission on effective industrial action was recommended.

5 ADDRESS BY SALLY HUNT, GENERAL SECRETARY

UCU general secretary, Sally Hunt, addressed Congress.

6 ADOPTION OF MINUTES OF CONGRESS 2017

The minutes of Congress 27-29 May 2017 set out in UCU/869 were **ADOPTED**.

7 DISCUSSION AND ADOPTION OF THE REPORT OF THE COMMISSION ON EFFECTIVE INDUSTRIAL ACTION (UCU/860)

- 7.1 Motion 1, *Report of the commission on effective industrial action*, was moved by Sean Vernell (NEC). Mark Abel (observer, University of Brighton), David Harvie (University of Leicester), Lesley McGorrigan (NEC), Margot Hill (NEC), Malcolm Povey (University of Leeds), Roddy Slorach (Imperial College London), Richard McEwan (London Regional Committee), Elane Heffernan (NEC), Eleni Michalopoulou (NEC) and Christina Paine (NEC) spoke in the debate. Sean Vernell (NEC) exercised his right of reply.

Motion 1 was **CARRIED** unanimously:

Congress receives the report of the commission on effective industrial action set out in UCU/860 and adopts its recommendations.

8 FOURTH REPORT OF THE CONGRESS BUSINESS COMMITTEE

Alan Barker (University of Nottingham, chair of CBC), presented the fourth report of the Congress business committee, which included the withdrawal and amendment of text in respect of motions 7 and B19.

Maria Chondrogianni (University of Westminster) moved that motion B26 in the Congress business committee's fourth report be ordered onto the Congress agenda. The chair of the Congress business committee responded. The proposal, which required a two thirds majority, was **CARRIED**.

Marion Hersh (NEC) proposed a suspension of standing orders in respect of the order of business. The proposal was not taken.

Congress **ADOPTED** the fourth report of the Congress business committee.

9 SECTION 1: BUSINESS OF THE STRATEGY AND FINANCE COMMITTEE TO BE TAKEN IN PRIVATE SESSION

9.1 Motion 2 *Appointment of auditors*, motion 3 *Financial statements*, motion 4 *Budget*, motion 5 *Subscriptions* and motion 6 *Review of subscription rates and bands* were moved by Steve Sangwine, honorary treasurer.

Amendment 6A.1 was moved by Rachel Cohen (NEC) on behalf of City, University of London:

Add a new 4:

4. The review should include consideration of moving towards rates that are progressive, whereby those on lower incomes pay a lower percentage of total income. It should also consider fair rates and payment methods for members whose income varies.

Douglas Rouxel (Staffordshire University), Lesley McGorrigan (NEC), Joe Gluza (University of Cambridge) and Jane Harvey (University of Wolverhampton) asked questions of the honorary treasurer in respect of motions 2 and 3. Steve Sangwine (honorary treasurer) replied.

Gwen Vickers (Redbridge College) and Christina Paine (NEC) spoke in the debate.

Motion 2 was **CARRIED**:

Congress approves the appointment of Knox Cropper as the union's auditors for the year ending 31 August 2018.

Motion 3 was **CARRIED**:

Congress receives the union's audited financial statements for the 12-month period ending 31 August 2017 as set out in UCU/862.

Motion 4 was **CARRIED**:

Congress endorses the budget for September 2018 – August 2019 as set out in UCU/874.

Motion 5 was **CARRIED**:

Congress endorses the subscription rates from September 2018 as set out in UCU/874.

Amendment 6A.1 was **CARRIED**. Motion 6, as amended, was **CARRIED**:

Congress mandates the treasurer and NEC, to review UCU's subscription band structure and subscription rates using the following principles:

- 1. subscription rates should be generally proportional to income, with the exception of rates for retired members, joint members, and members covered by special initiatives such as the current four year free membership scheme**

2. **subscription bands should avoid members experiencing large increases in subscriptions due to small changes in income**
3. **changes should be made incrementally each year, over five years or less, to avoid significant risk to the union's income resulting from membership loss. The timeframe should be kept under review.**
4. **the review should include consideration of moving towards rates that are progressive, whereby those on lower incomes pay a lower percentage of total income. It should also consider fair rates and payment methods for members whose income varies.**

and to:

- a. **consult with members and employment special interest group committees**
- b. **bring subscription rate and band changes to Congress 2019 which implement the next step resulting from the review, and similarly in subsequent years**
- c. **present a report on the review to Congress 2019.**

9.2 Alan Barker (University of Nottingham, chair of CBC), provided a point of information.

9.3 Motion 7, *Rulebook to include procedures for the conduct of non-statutory ballots*, was moved by Jaya John (University of Oxford) and seconded formally.

Congress had agreed the withdrawal of text from and amendment of this motion, in its acceptance of the fourth report of the Congress business committee.

Motion 7, as amended by the Congress business committee's fourth report, was **CARRIED:**

Congress notes the dearth of procedural information available to members re. conducting non-statutory ballots and the need for complete clarity and transparency in the procedures for such ballots.

Congress seeks to:

- a. **reduce confusion and improve transparency of ballot procedures**
- b. **encourage members' faith in the democratic process**
- c. **support UCU ballot staff.**

Congress resolves:

- i. **to amend the national rules to include provision for Standard Operating Procedures (SOPs) on the conduct of non-statutory ballots;**
- ii. **that these SOPs will be**
 - **comparable in detail to those rules in place for elections (i.e. Schedules A,B);**

- **made available to members on the national website and upon request;**
- **reviewed annually by NEC consulting with branch members.**

9.4 Motion 8, *UCU structures and decision-making: democracy, transparency and 'plain English'* was moved by Vicky Blake (NEC) on behalf of the University of Leeds and seconded formally. Joe Ironside (Aberystwyth University) spoke in the debate. Vicky Blake (NEC) exercised her right of reply.

Motion 8 was **CARRIED:**

Congress notes:

- 1. membership and engagement in UCU increased during recent industrial action in both sectors**
- 2. UCU's strength lies in functioning as a participatory, lay member-led union**
- 3. recent disputes highlight:**
 - a. current union processes make it difficult for members to engage with decision-making when the available information changes quickly**
 - b. a need for clarity and transparency where union structures must produce decisions in complex disputes (particularly where external parties may affect dispute outcomes or increase uncertainty)**

Congress resolves to:

- i. publicise plain English explanations of UCU's decision-making structures including special FE and HE conferences**
- ii. formalise mechanisms to achieve maximal participatory democratic input from members in circumstances where a special conference is required but 30 days' notice is impossible, e.g. branch delegates meetings where:**
 - **branches receive clear guidance on matters for consultation**
 - **delegates vote on key issues or outputs, including when meetings are 'indicative' in rule.**

9.5 Motion 9, *Union transparency and accountability during disputes* was moved by Rachel Cohen (NEC) on behalf of City University and seconded by Sorcha Ui Chonnachtaigh (Keele University). Jenny Prideaux (NEC) and Mike Larkin (Scottish Retired Members) spoke in the debate.

Jenny Prideaux (NEC) proposed that the motion be taken in parts and this was **agreed** by Congress. Rachel Cohen (NEC) exercised her right of reply.

Motion 8 point 2 was **LOST:**

- 2. during a dispute, any five HEC/FEC members may call for a reconvened*

meeting of HEC/FEC, within two weeks, to progress the dispute

Motion 8, excepting point 2, was **CARRIED**:

The USS dispute, branch delegate and HEC meetings and ballot have produced member anger around issues of transparency and accountability within UCU.

Congress resolves that:

- 1. the role and purpose of branch delegate meetings during a dispute should be clarified, including voting rights (per branch or weighted by membership and when and how votes can be called)**
- 3. HEC/FEC must agree contextual information accompanying national ballots of members. Ballot text will be circulated to branch officers at least 1 working day in advance of the ballot going live**
- 4. a means for members/branches to contact HEC/FEC members is publicised**
- 5. information about upcoming HEC/FEC/NEC meetings and agenda items is publicised**
- 6. mechanisms for HEC/FEC to consider relevant branch motions is determined.**

- 9.6 Motion L1, *The role of elected representatives in decision-making*, was moved by Rachel Cohen (NEC) on behalf of City, University of London and seconded formally.

Motion L1 was **CARRIED**:

Congress notes that:

At the April HEC meeting, elected representatives were asked to vote on long complex sets of recommendations contained in papers from officials of the union.

HEC members sought to amend these recommendations before they were voted on but were barred from doing so by the Chair who claimed that amendments to official recommendations were not permitted, despite precedent that they are permitted.

This issue was raised at the May NEC meeting but not resolved.

Congress believes the ability of elected representative bodies of the union to confirm that any items for decision – that will affect union policy or action – are always subject to amendment, clarification and specification by elected representatives.

- 9.7 Motion B19, *Democracy review*, was moved by Sam Morecroft (University of Sheffield) and seconded by Vicky Blake (NEC).

Congress had agreed the withdrawal of text from the motion, by the movers, in its acceptance of the fourth report of the Congress business committee.

Motion B19, as amended by the Congress business committee's fourth report, was **CARRIED**:

Congress notes:

- 1. concerns from many branches and members about the processes behind the consultative ballot on the USS offer of 23rd March**
- 2. the lack of inter-election mechanisms by which to recall or hold elected union representatives to account**

Congress resolves:

- a. to undertake a review before Congress 2019 of UCU's democratic structures via a democracy commission**
- b. that the commission should be elected by and from branches, regional committees, devolved nations and advisory committees of the union**
- c. to empower the commission to recommend changes to UCU's democratic structures at a one day special Congress, for discussion and voting on by branch delegates.**

9.8 The chair moved to motions 10 and 11. Ann Gow (NEC) moved, on behalf of the NEC, that motions 10 and 11 be withdrawn from the agenda.

Mandy Brown (NEC), Satvinder Juss (Kings College London), Sai Englert (SOAS), Catherine Pope (University of Southampton), Elane Heffernan (NEC), Deej Fabyc (London Metropolitan University), and Justine Mercer (NEC), spoke in the debate.

The chair read a statement approved by a majority of the NEC:

While delegates may wish to consider the general issues raised in these motions, they should note the following. Under our rules, the NEC is the employer of the general secretary and in that capacity they agree the terms and conditions of the general secretary's employment. These include the same rights as any other employee to due process and a fair hearing if complaints are made against her, a process agreed with the recognised staff union. The motions in question bypass and undermine those agreements, creating a situation where matters regarding the conduct of the general secretary will be aired outside the due process agreed by UCU's NEC as the employer, and the relevant union. This opens up the risk of legal action, with reputational and financial damage to the union. Having been advised of these risks, the NEC decided to request, on the floor of Congress, that the movers of motions 10 and 11 withdraw those motions. While recognising that Congress has the right to discuss broad policy aspects of the conduct of disputes, in the light of the risks to the wider interests of the union and its reputation as an employer, the NEC will be asking that these motions be withdrawn.

A vote was taken on the proposal to withdraw the motions from the agenda. The proposal was **LOST** (123 votes in favour, 144 against, 17 abstentions).

Motions 10 and 11 remaining on the agenda and having been reached for debate,

UCU staff left the Congress hall to attend an emergency union meeting. The chair suspended Congress.

- 9.9 The chair subsequently reported that the UCU staff union had declared a trade dispute and were seeking an urgent meeting of the UCU-Unite JNC. The chair closed the day's business.

THIRD SESSION OF CONGRESS, FRIDAY MORNING, 1 JUNE

10 FIFTH REPORT OF THE CONGRESS BUSINESS COMMITTEE

Joanna de Groot, president, was in the chair.

- 10.1 Alan Barker (University of Nottingham, chair of CBC), moved the fifth report of the Congress business committee.

Mandy Brown (NEC) challenged CBC's report and proposed that motions L8-L10 be taken as the first items of business, followed by motions 10 and 11. Alan Barker (University of Nottingham, chair of CBC) responded.

The challenge to CBC's report was **CARRIED** (139 votes in favour, 98 against, 5 abstentions).

Marian Mayer (Bournemouth University) raised a point of information. Paul Cottrell (national head of democratic services) spoke to provide factual information.

Bruce Baker (Newcastle University), Marion Hersh (NEC) and Sam Marsh (University of Sheffield), raised points of information.

Congress adopted the fifth report of the Congress business committee, as amended by the timetabling proposal adopted by Congress.

- 10.2 The chair introduced the statement from the UCU-Unite JNC which had been circulated to delegates. Elane Heffernan (NEC) moved that this statement be taken immediately prior to the moving of motions 10 and 11. Congress **CARRIED** this proposal.

- 10.3 Emergency motion L8, *The right of members to hold elected officers to account*, was moved by Rachel Cohen (NEC) and seconded by Mandy Brown (NEC).

Jenny Prideaux (NEC), Sean Vernell (NEC), Ronald Haynes (University of Cambridge), Jim Thakoordin (Bedfordshire ACE Adult LEarning), Emma Jane Phillips (NEC), Joao Florencio (South West regional committee), Catherine Pope (University of Southampton), Vicky Blake (NEC), Renee Prendergast (NEC), Alan Barker (University of Nottingham, chair of CBC), Stan Papoulias (Kings College London), Alison Chapman (NEC), Sam Morecroft (University of Sheffield) and Gusewak Aulakh (City College Plymouth) spoke in the debate.

Mike Lammiman (University of Hull) moved that the question now be put. This was **CARRIED**.

Emergency motion L8 was **CARRIED**:

L8 Congress notes:

Unite staff walkouts that shut down Congress in both sessions on first day of Congress

That issues with other motions have been resolved and this dispute now related solely to motions 10 & 11, on the role and behaviour of the GS in representing members

That the GS is the most senior elected representative of UCU members

That NEC and Congress are made up of UCU members

That neither NEC members nor Congress exercise day-to-day aspects of the employer role in the relationship with the GS

That the GS and executive team sit on the 'employer' side of the UCU JNC meetings.

Congress believes:

All elected officers of UCU can be subjected to criticism by members in relation to their representation of members

This disruption undermines UCU democratic structures and reputation

We cannot allow motions voicing dissent with the GS not to be debated.

10.4 Emergency motion L9, *Democracy commission* was moved by Sam Morecroft (University of Sheffield) and seconded formally.

Douglas Chalmers (vice president) moved remittance of motion L9.

Tom Rudman (Manchester Metropolitan University), Adam Ozanne (NEC), Christina Paine (NEC), Sam Marsh (University of Sheffield), Margot Hill (NEC) and Justine Mercer (NEC) spoke in the debate.

Steve Lui (University of Huddersfield) moved that the motion be taken in parts.

Steve Sangwine (UCU honorary treasurer) responded to a request for information.

Sam Morecroft (University of Sheffield) exercised his right of reply.

The proposal to remit L9 was **LOST**.

The proposal to take the motion in parts was **CARRIED**.

Point 3 of the motion was **LOST** (120 votes in favour, 127 against, 12 abstentions).

- 3 That the Commission will consist of 20 members, 10 from HE (5 from pre-1992 and 5 from post-1992 branches) and 10 from FE with a chair elected by and from the Commission.

Motion L9, with the exception of point 3, was **CARRIED**:

Congress notes Congress 2018 has resolved to set up a Democracy Commission to review our democratic structures.

Congress resolves

- 1. That candidates for election to the Commission must be nominated by their respective branches, regions or advisory committees**
- 2. That the Commission must be elected and have held their first meeting by 31 October 2018**
- 4. Regional Committees, devolved nations, branches and advisory committees must be strongly encouraged to organise specific meetings to discuss the issues that are to be discussed by the Commission**
- 5. The Commission shall draw up recommendations to put to a one-day special Congress to discuss how our democratic structures should function and what they should look like.**

10.5 Paul Cottrell (national head of democratic services) spoke to provide information in respect of motion L10.

10.6 Emergency motion L10 *Recall conference* was moved by Elane Heffernan (NEC) and seconded by Deej Fabyc (London Metropolitan University).

Anindya Raychaudhuri (University of St Andrews), Emma Jane Phillips (NEC), Craig Gent (University of Warwick), Adam Ozanne (NEC), Margot Hill (NEC), Jenny Prideaux (NEC) and Lesley McGorrigan (NEC) spoke in the debate.

Jenny Prideaux (NEC) moved remittance of L10.

Steve Sangwine (UCU honorary treasurer) spoke to provide information.

A delegate proposed that the question now be put. This proposal was **CARRIED**.

The proposal to remit motion L10 was **LOST** (113 votes in favour, 149 against, 2 abstentions).

Motion L10 was taken in parts. The second part of motion L10 was **LOST**.

...preferably in London within one month of this Congress.

Motion L10, excepting the second part, was **CARRIED**:

Due to the disruption of our Congress which was unforeseen, we resolve to hold a one day Congress to discuss any outstanding business of this Congress (not to discuss new business).

10.7 Congress moved into private session.

10.8 The chair introduced the statement from the UCU-Unite JNC, now put to Congress by the NEC, requesting that Congress withdraw motions 10 and 11 from the agenda.

Rhiannon Lockley (NEC), Alan Barker (University of Nottingham), Carolyn Campbell (NEC), Ronald Haynes (University of Cambridge), Tony Brown (UCL),

Tor Krever (University of Warwick), Douglas Chalmers (vice president), Marion Hersh (NEC), Mike Lammiman (University of Hull), Mandy Brown (NEC), Randal Jack (Jisc), Sam Marsh (University of Sheffield), Eleni Michalopoulou (NEC), Rachel Cohen (NEC), Marian Mayer (Bournemouth University), spoke, to raise points of information, clarification, order and debate.

Paul Cottrell (national head of democratic services) provided information about the union's conduct and complaints procedures.

The chair asked Congress to vote on the proposal that Congress reconsider its decision about the withdrawal of motions 10 and 11 from the agenda.

The proposal was **LOST**.

Motions 10 and 11 remaining on the agenda, the staff of UCU left the Congress hall to attend an emergency union meeting. The chair suspended Congress.

Staff did not return to the Congress hall; the meeting of Congress ended.