



UCUBAN/HE65 29 August 2019

University and College Union
Higher Education Branch Action Note

Carlow Street, London NW1 7LH, Tel. 020 7756 2500, www.ucu.org.uk

To HE branch and local association secretaries

Topic **HE pay and equality and USS campaign - dispute update**

Action Statutory Notice of Intention to Ballot served on employers

Summary **This branch action note informs branches that Notice of Intention to Ballot letters regarding the HE pay and equality and USS disputes have been sent to employers. The ballots will run simultaneously and will open on 9 September and close on 30 October.**

Contact **Paul Bridge, Head of HE; pbridge@ucu.org.uk**

Dear Colleagues,

I write further to the recent updates in regards to the pay and equality campaign and USS campaign;

<https://www.ucu.org.uk/he2019>

<https://www.ucu.org.uk/strikeforuss>

In line with the decisions taken by the Higher Education Sector Conference and the Higher Education Committee, UCU will now proceed to ballot members in higher education with regards to the 2019/20 national claim dispute (pay and equality) and the USS dispute. The vast majority of members in HE will be able to vote in the pay and equality ballot (see appendix 3) and those members who work in USS institutions will have a second ballot paper and will also be able to vote in that ballot (see Appendix 4).

The ballots will open on 9 September and close on 30 October. Ballot papers for both disputes will start to be received from 9 September.

A copy of the standard Notice of Intention to Ballot letter sent to Higher Education Institutions (HEIs) that are part of UK pay negotiations at New JNCHES can be found at Appendix 1 (Note: Notice letters sent to Northern Ireland HEIs will refer to the appropriate legislation).

A copy of the standard Notice of Intention to Ballot letter sent to USS employers can be found at Appendix 2. (Note: Notice letters sent to Northern Ireland HEIs will refer to the appropriate legislation).

A list of New JNCHES employers is attached at Appendix 3.

A list of USS employers is attached at Appendix 4.

Branches are encouraged to ensure that they develop their GTVO campaign and encourage members to vote Yes to strike action and Yes to action short of a strike (ASOS).

Branches should continue to update their membership records.

Paul Bridge
UCU Head of Higher Education

Appendix 1

28 August 2019

BY SPECIAL DELIVERY

UK Notice of Ballot excluding Northern Ireland (PAY)

Head of Institution

Address

Dear

National claim 2019/20- Dispute

I refer to my letter to you of 13 August 2019, in which I requested your intervention in this year's pay negotiations. I asked you to instruct your national representatives to make an offer in response to the Joint HE trade union claim, specifically:

- An increase to all spine points on the national pay scale of RPI plus 3% or £3,349 (whichever is the greater)
- Nationally agreed action to close the gender pay gap and work on closing the ethnic pay gap
- Agree a framework to eliminate precarious employment practices by universities
- Nationally-agreed payment to recognise excessive workloads.

I did this in order that a dispute on pay and other terms and conditions between your institution and our members you employ can be avoided this academic year.

I regret to inform you that no offer has been made by UCEA which UCU could recommend to its members. UCU is now moving to ballot its members in furtherance of this trade dispute.

Notice of Ballot for Industrial Action – s 226A TULR(C)A 1992

As required by Section 226A of the Trade Union and Labour Relations (Consolidation) Act 1992, I hereby give you notice that UCU intends to hold an industrial action ballot of those of our members who are listed in the attached matrix who are employed by your institution.

Attached is a matrix which provides:

1. a list of the categories of employee whom the union reasonably believes will be entitled to vote in the ballot ("the employees concerned");

2. a list of the workplaces at which the employees concerned work;
3. figures giving the total number of the employees concerned;
4. figures giving the number of the employees concerned in each of the categories identified in 1. above;
5. figures giving the number of the employees concerned who work at each of the workplaces identified in the list at 2. above.

By way of explanation the figures given above have been taken from the union's central membership database in Head Office. The union constantly seeks to update its membership records and verifying the workplaces where union members work and their employment category.

Members are also regularly asked to inform the union of any changes to their circumstances and these changes are made on the union's central database. The union has, therefore, received information from a variety of sources including our branches and individual members themselves using all available media including postal mailings, our web site, and individual email communications to inform and update the union's central membership records.

Any difference in the total numbers of members shown on the matrices and the total numbers of members known to you because they pay their subscription by "check-off" is due to the fact that members can also pay their union subscription annually by cheque or monthly by bank direct debit.

In formulating the categories of employees used in the matrices the union has had regard to paragraph 15 of the Code of Practice: Industrial Action Ballots and Notice to the Employers (2005). Specifically, the terms "academic" and "academic related" are terms which reflect the nature of the employee's work.

In the matrix you will note that we identify postgraduates as an employment category. The members identified in this category are individuals who have identified to us that they are postgraduate students at your institution who also have an employment contract under which they deliver teaching or other paid for services.

The matrix attached was generated on 22 August 2019 specifically for the purpose of this ballot notification letter.

It is intended that the ballot will open on 9 September 2019.

A sample copy of the ballot paper to be used in the ballot, which we are required to send to you under the above Section, is enclosed. The sample ballot paper does not show the numbering which appears on the actual ballot papers dispatched by our independent scrutineers.

There is still time to avoid a dispute this year. Once again, I ask you to instruct your national representatives to make an offer in response to the trade union claim.

For the avoidance of doubt, the trade dispute between UCU members and your institution will remain in existence unless and until agreement is reached on all of the matters of dispute highlighted in the bullet points above and any other matters arising out of the dispute.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'PB', with a long horizontal flourish extending to the right.

Paul Bridge
UCU Head of Higher Education

Appendix 2

28 August 2019

BY SPECIAL DELIVERY - USS

TO: HEADS OF INSTITUTIONS

Dear Head of Institution/VC

PROPOSED DETRIMENTAL CHANGES TO USS & FAILURE TO AGREE A COLLECTIVE AGREEMENT WITH UCU TO PREVENT AN INCREASE IN MEMBER CONTRIBUTIONS ABOVE 8%

Notice of Ballot for Industrial Action – s 226A TULR(C)A 1992

I refer to my letter of 7 June 2019 in which I set out UCU's position on behalf of our members to ensure that none of them suffer a reduction in their pension. I quote directly from that letter; *'I am now writing to seek your confirmation on behalf of your Institution that you will not impose any benefit cuts and/or contribution increases, including contingent contributions and default contribution rates for future valuations, on members from October 2019 onwards. This includes any and all increases over the rate of 26% (8% for members) which was established prior to the 2017 valuation. You must instruct your representatives on the Employers' Pension Forum (EPF) and the UUK nominees on the JNC not to introduce, comply with, or vote for any proposals that would involve such cuts and/or increases for members; and, failing that, you must cover any scheduled increases in full until USS's governance and valuation methods and assumptions have been overhauled.'*

You have not provided the necessary assurance that you are willing to undertake the actions necessary to avoid a dispute and in consequence, UCU now considers this to form the subject of a trade dispute between your institution and our members, your employees.

As required by Section 226A of the Trade Union and Labour Relations (Consolidation) Act 1992, I hereby give you notice that UCU intends to hold an industrial action ballot of those of our members contained in the attached matrix who are employed by your institution.

Attached is a matrix which provides:

1. a list of the categories of employee to which the employees concerned belong;
2. a list of the workplaces at which the employees concerned work;
3. figures giving the total number of the employees concerned;

4. figures giving the number of the employees concerned in each of the categories in the list identified in 1. above;
5. figures giving the number of the employees concerned who work at each of the workplaces identified in 2. above.

By way of explanation, the lists and figures given above have been taken from the union's central membership database in Head Office. The union constantly seeks to update its membership records. Branches were asked to check the records against locally held information and to carry out a specific ballot preparation updating exercise. The check included verifying the workplaces where union members worked and their employment category.

Branches have received regular reminders to notify the union of changes, particularly to take account of the start of the new academic year in September.

Members are also regularly asked to inform the union of any changes to their circumstances and these changes are made on the union's central database.

The union has, therefore, over a period of time received information from a variety of sources including our branches and individual members themselves using all available media including postal mailings, our web site, and individual email communications to inform and update the union's central membership records.

Any difference in the total numbers of members shown on the matrix and the total numbers of members known to you because they pay their subscription by "check-off" is due to the fact that members can also pay their union subscription annually by cheque or monthly by bank direct debit.

In formulating the categories of employees used in the matrix the union has had regard to paragraph 15 of the Code of Practice: Industrial Action Ballots and Notice to the Employers (2005). Specifically, the terms "academic" and "academic related" are terms which reflect the nature of the employees work.

In the matrix you will also note that we may identify postgraduates as an employment category. The members identified in this category are individuals who have identified to us that they are postgraduate students at your institution who also have an employment contract under which they deliver teaching or other paid for services.

The matrix attached was generated on 22 August 2019 specifically for the purpose of this ballot notification letter.

It is intended that the ballot will open on 9 September 2019.

A sample copy of the ballot paper to be used in the ballot, which we are required to send to you under the above Section, is enclosed. The sample ballot paper does not show the

numbering which appears on the actual ballot papers dispatched by our independent scrutineers.

Yours sincerely

A handwritten signature in black ink, appearing to be 'PB', with a large, sweeping flourish underneath.

Paul Bridge
UCU Head of Higher Education

Appendix 3

List of participating HEIs 2019-20

Institution
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. 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 Arts University
65. Leeds Trinity University
66. University of Leicester
67. University of Lincoln
68. University of Liverpool
69. Liverpool Hope University
70. Liverpool Institute for Performing Arts
71. Liverpool John Moores University
72. Liverpool School of Tropical Medicine
73. London Metropolitan University
74. London School of Economics & Political Science
75. London School of Hygiene & Tropical Medicine
76. London South Bank University
77. University of London (Senate)
78. Loughborough University
79. University of Manchester

80. Manchester Metropolitan University
81. Middlesex University
82. Newcastle University
83. Newman University
84. University of Northampton
85. Northumbria University
86. Norwich University of the Arts
87. University of Nottingham*
88. Nottingham Trent University
89. Open University
90. University of Oxford
91. Oxford Brookes University
92. Plymouth University
93. University of Portsmouth
94. Queen Margaret University
95. Queen Mary University of London
96. Queen's University Belfast
97. University of Reading
98. Robert Gordon University
99. University of Roehampton
100. Rose Bruford College
101. Royal Academy of Music
102. Royal Agricultural University
103. The Royal Central School of Speech &
104. Royal College of Art
105. Royal College of Music
106. Royal Holloway, University of London
107. Royal Northern College of Music
108. Royal Veterinary College
109. University of Salford
110. University of Sheffield
111. Sheffield Hallam University
112. SOAS, University of London
113. University of Southampton
114. Southampton Solent University
115. University of South Wales
116. University of St Andrews
117. St George's University of London
118. St Mary's University College, Belfast
119. St Mary's University, Twickenham
120. Staffordshire University
121. University of Stirling
122. University of St Mark & St John
123. Stranmillis University College

124. University of Strathclyde
125. University of Suffolk
126. University of Sunderland
127. University of Surrey
128. University of Sussex
129. Swansea University
130. Teesside University
131. Trinity Laban
132. Ulster University
133. University College Birmingham
134. University College London
135. University for the Creative Arts
136. University of Wales
137. University of Wales Trinity Saint David
138. University of Warwick
139. University of West London
140. University of the West of England, Bristol
141. University of the West of Scotland
142. University of Westminster
143. University of Winchester
144. University of Wolverhampton
145. University of Worcester
146. University of York
147. York St John University

Appendix 4

List of USS HEIs

The University of Aberdeen
Aberystwyth University
Aston University
Bangor University
Vice-Chancellor's office, The University of Bath
The Queen's University of Belfast
Birkbeck, University of London
The University of Birmingham
The University of Bradford
The University of Bristol
Brunel University, London

The University of Cambridge
Cardiff University
City, University of London
Courtauld Institute of Art
Cranfield University
The University of Dundee
University of Durham
The University of East Anglia
The University of Edinburgh
The University of Essex
The University of Exeter
The University of Glasgow
Goldsmiths University, London
Heriot-Watt University
The University of Hull,
Imperial College of Science, Technology and Medicine
(ICSTM)

The University of Keele
The University of Kent
King's College London
The University of Lancaster
The University of Leeds
The University of Leicester
Liverpool School of Tropical Medicine
The University of Liverpool
London School of Hygiene and Tropical Medicine
London School of Economics and Political Science
Loughborough University
The University of Manchester
Newcastle University

The University of Nottingham
The Open University
The University of Oxford
Queen Mary University of London
The University of Reading
Royal Holloway.
University of London
The Royal Veterinary College

Ruskin College
The School of Oriental and African Studies (SOAS)
The University of Salford

Scottish Association for Marine Science
University of London (Institutes and activities)
The University of Sheffield
The University of Southampton
The University of St Andrews
St George's University of London
The University of Stirling
The University of Strathclyde
The University of Surrey
The University of Sussex
Swansea University
University of Wales Trinity St David's
University of Ulster
University of Suffolk
University College London,
The School of Pharmacy and IOE
University of Wales
The University of Warwick
The University of York

Institute of Development Studies
(IDS)