

21 May 2020

Dear Principal/CEO,

*Apologies that the greeting above lacks personalisation, but I.T. restrictions brought about by the pandemic have prevented this.*

### **UCU's approach to talking to you about any return to onsite working.**

I hope that you and all those who are close to you are safe and well!

You may either have already had contact from my regional colleague or will shortly hear from them, however I wanted to write to you to set out UCU's approach and expectations as we begin discussions about what a return to any onsite working looks like.

Everyone in the further education sector can be rightly proud of how, at very short notice, staff quickly adapted and responded to the needs of their students in response to the Covid-19 lockdown. It is recognised that the significant changes to usual ways of working only happened through the goodwill shown by all colleagues to do what was required to make it work.

We are learning things out of the midst of this crisis. What has been remarkable about the shift to such different and temporary ways of working is how the transition was so harmonious. Following some initial teething problems, most staff in FE do report feeling well supported. Together we must work to maintain this.

My impression is the quality and level of engagement between local and regional UCU representatives and local college management markedly improved as we went into lockdown. I hope we agree this is something we want to retain and enhance going forward. Indeed it is clear from government that the only way we will get through this crisis is by working together, with trade unions at the heart of all discussions.

If we thought the lock down was difficult, we now realise the bigger challenge is any reopening, whenever it happens.

The biggest hurdle is giving students and staff confidence that they will be safe during their travel to and from where they learn or work and that they are safe while they are there. The only way we can give students and staff that confidence is by working closely together and agreeing what safe looks like.

You may have seen the joint trade unions' five tests, which can be found [here](#), for a return to working in any of the FE educational settings. We understand the first three of those tests are matters mostly outside of your college's control. Nonetheless they

are valid asks of government and tests for reopening. We understand that most college leaders agree with these tests for that purpose.

I am pleased that the AoC nationally have been actively engaging with the FE trade unions and have acknowledged that government are not saying 1 June is day one for FE to be open. We are working with the AoC and other FE unions and hope to quickly agree a framework for local discussions on how to approach a return to some onsite working in FE when it is safe to do so.

In the meantime I wanted to share with you UCU's guidance to branch officers about how they should approach their discussions with you and what they will be expecting. This guidance can be found [here](#).

You may have either begun or want to start discussions with staff about what any return to onsite working looks like. We have had feedback from members that this is triggering some fear and anxiety amongst UCU members and your staff generally. Together we can avoid this fear and anxiety and provide confidence by letting all staff know that no return to work will occur until an agreement has been collectively reached with UCU on what a safe return for any staff looks like.

So what am I asking you and your college to do?

- Engage fully with UCU at the earliest opportunity on plans to re-open any parts of the college so we can agree a process for agreeing what is safe. (Following the five Ws which can be found [here](#))
- Communicate with all staff that no return to work will occur until it has been agreed with the relevant trade unions.
- Share all risk assessments both with local UCU branch officers and UCU regional officials.
- As employers you have a duty to prevent the spread and transmission of Covid-19 within your workplaces and must fulfil your legal duties under the relevant legislation. (We are here to help!)
- Therefore we request full consultation over any proposed risk management strategy for a return to onsite working.
- We are aware that some colleges may currently have a limited amount of work taking place onsite and we expect such work to be included in any reviewed operational strategy.
- We propose that consultations take place formally within established collective bargaining fora, including health and safety committees.
- As part of the consultation process, we formally request copies of all proposed risk assessments, proposed safe systems of work, and serious and imminent danger arrangements that will be part of the college onsite risk management strategy.

We will work with you on all of the above issues and expect that you will welcome working with us on this too. Together we can make sure any return to working onsite can happen safely wherever and whenever it happens and provide confidence to those involved.

Any plans to reopen onsite working may additionally have an impact on members with protected characteristics and may have the effect of treating some less favourably. UCU

seeks therefore to also agree an Equality Impact Assessment. We ask that all information is forwarded to local branch officers and copied to the UCU regional office.

We want to and will work with you, however UCU is clear about its responsibilities to its members and will not support a return to onsite working until we are confident workplaces are safe, and risk assessments are statutorily compliant, suitable, and sufficient. I doubt you would want anything different, so it is important that we work together over the coming months to ensure sure we reach agreement. UCU will only agree that a return to onsite work is safe based on agreed outcomes of the risk assessment consultation process.

We are all going through something that we haven't experienced before and so are learning as we go along. UCU wants to provide maximum support to its local branch officers who are also dealing with something new. Therefore if you could let your regional UCU contact know about your proposed collective consultation process on any return to onsite working and dates for meetings that would help us work together most effectively.

It is UCU's genuine wish that we work collaboratively together with you at local, regional and national level so we can agree when it is safe for any return to onsite learning and working to occur.

We all know that a return to onsite working will rely on the precious goodwill of college staff. That goodwill will only happen when management and trade unions work together to agree what a safe return looks like.

Stay safe!

Best regards,

A handwritten signature in black ink, appearing to read 'Andrew Harden', written in a cursive style.

**Andrew Harden**  
Head of Further Education  
UCU