

UNIVERSITY OF EXETER

JOINT COMMITTEE FOR CONSULTATION AND NEGOTIATION, 18 October 2023

Joint Committee for Consultation and Negotiation: Minutes of meeting held on 9 May 2023

PRESENT

Sir Richard Atkins (Chair)

University Representatives

Vice-Chancellor, Professor Lisa Roberts

Registrar & Secretary, Mike Shore-Nye

Executive Divisional Director of Human Resources, Imelda Rogers

Chief Financial Officer and Executive Divisional Director of Finance, Infrastructure and Commercial Services, Andrew Connolly

Provost, Professor Janice Kay

Trade Union Representatives

UCU, Alex Prichard

UCU, Joao Florencio

UCU, Professor Brian Rappert

Unison, Tim Hortopp

Unite, Michael Worth

UCU Regional Officer, Alison Chapman

Also in attendance

Assistant Director of Human Resources, Andrew Johnson

Human Resources Business Manager, Gail Reeves

Assistant Director Culture and Inclusion, Shades Chaudhary

Apologies

Unite Branch Secretary, Chris Forrest

1. Minutes

The Chair advised the meeting that, following the receipt of UCU requested revisions to the minutes of the meeting held on 27 March 2023 earlier in the day, the revised minutes be circulated and agreement deferred to the next meeting, following discussion between HR and UCU on the requested changes.

2. Vice-Chancellor's Update

The Vice-Chancellor advised the Committee of the new 'Our Culture Conversation' that will be launched on Wednesday 10 May:

- The Our Culture Conversation replaces the previous biennial employee engagement surveys to keep a pulse on colleague experience in a more streamlined and effective way, which will be run several times throughout the year.
- We will ask colleagues to provide feedback on a range of topics, including how you feel about working at the University and your experiences in your role. The questions are grouped into four areas: engagement, equality, diversity and inclusion, health and wellbeing, and change and transformation.
- The results will shape improvements across the community. In particular we want to find out how the new structures are bedding in, and whether staff have felt engaged and able to make changes and suggestions.

- The question set had been informed by research and academic expertise within the institution and had been shared with a range of stakeholders including Faculty and PS Wellbeing, Inclusion and Committees prior to launch.
- We will be holding online familiarisation sessions for senior leaders, heads of department and assistant directors so they can find out more about how to understand the results and to ask any questions they may have.

UCU representatives asked how we can ensure that there is a strong sample of respondents to the culture conversation, and whether there are questions how the workplace helps with mental health. In response the Assistant Director for Culture and Inclusion advised the Committee that the platform through which the Our Culture Conversation is delivered sends automated reminders through iTrent to maximise respondents. It was also confirmed that there are additional questions focused on mental health and the opportunity for respondents to add free-text answers.

Trade union representatives welcomed the initiative and content but expressed disappointed that trade unions were not consulted about the content of the survey. It was further noted that TU representatives often have to deal with similar issues to those raised in the survey through their roles as case workers and asked for the opportunity to feedback on the questions the next time they are refreshed. The Unison representative asked whether there were questions about workload and whether it is possible to identify individuals from the survey.

In response the Director of HR advised the Committee that the questions were socialised with a wide group of University stakeholders (as mentioned above).

The Assistant Director for Culture and Inclusion advised the Committee that there is a question on workload in the current survey and the staff cannot be identified from the survey as HESA data suppression rules apply. There is also a reminder to staff not to identify themselves in the qualitative answers.

UCU representatives asked what was wrong with the previous staff survey. In response the Director of HR advised the Committee that the previous staff survey took too long to complete and too long to analyse and to develop lengthy action plans post-survey. The length of time taken between the survey and actions being put in place rendered many actions out of date. The new system automatically suggest actions (that are impact tested) and takes this work away from managers and will overall make us more responsive in real time.

The Unite representative asked whether other surveys, for example the research culture survey, will be connected to the Our Culture Conversation, or whether these surveys will continue to be carried out independently. In response the Assistant Director for Culture and Inclusion advised the Committee that the goal in the future is to run all surveys through this platform.

3. Joint Statement: Progress Report

The Director of HR advised the Committee that HR have put additional resource into FEFA to ensure that this work can progress more quickly. In particular this stage of the project aims to focus on faculties and departments to understand their workforce planning and why we employ education staff on short term contracts.

UCU representatives and the Assistant Director for Policy and Reward noted that invitations to a further specific FEFA meeting would be sent shortly.

4. Joint Trade Union Claim

The Director of HR advised that Committee that the first year cost of their proposal would be £38.4M. An initial high level equality analysis shows that this would result in a higher average uplift for men than women which would widen the male-favoured gender pay gap.

The Chief Financial Officer advised the Committee that the current financial year forecast operating surplus is £10.8M (2% of income), which was necessary to fund debt servicing costs. Margins are thin and will get worse as a consequence of the inflation. In the next financial year, an operating surplus of £6M is forecast . Additional costs of £38M would leave

the University in deficit. In terms of staff cost ratio (a measure of productivity), Exeter is above the Russell Group median using comparison data from 2021/22. The staff cost ratio cannot keep rising. With experiencing higher levels of inflation, we have to earn income to offset this. The University would have to reduce staffing levels by circa. 650 posts to accommodate a £38.4M increase in staff costs. This is not currently affordable at the current levels of income and expenditure.

The Director of HR advised the Committee that with the support of Council the University had made changes to grades in November 2022 to support colleagues within its limits of affordability. She asked where the joint TU claim sits in relation to the national dispute.

UCU representatives asked why the staff-cost ratio was high relative to the sector, for example do we have more staff, or spend less per person? The Chief Financial Officer advised the Committee that there were a lot of variables that contribute to this, but our cost per FTE is not significantly out of line with our peers. There are a complex mix of factors but the a long-term trend is that our staff-cost ratio creeping up above the median.

UCU representatives commented that income has been going up due to additional students, but staff:student ratios are becoming worse, and that it was not increasing pay was not about affordability but about choices made by the University. UCU agreed that there has to be a mix of investment in both buildings and staff. In response the Vice-Chancellor advised the Committee that the University has invested in additional academic staff in areas where student numbers have increased. UCU representatives countered that the University is relying on pay deflation to be able to afford to bring in staff to teach those extra students. The Vice-Chancellor commented that the University has not seen data to support the assertion that Exeter pays less.

The Registrar advised the Committee that the challenge the University faces is due to lack of inflation on fees, so we have to look for other income streams and be more efficient – hence the recent investment in digital. The University has to find a way every year to meet inflation pressures. This will only get more challenging, so will need to remain focused on cohort rebalancing, maximise return on of our estate etc. If we don't stay on top of this it will lead it job losses.

UCU representatives noted that with regard to the cost per FTE we could have senior people earning a lot and lower grade staff earning on a lot less. They asserted that HESA data showed that Exeter's starting salaries are lower. This was the consequence of a strategy of aggressive growth over the last few years. The value of labour is reducing and staff student ratios are increasing. There needs to be a solution.

The Unite representative asked what would an affordable number look like so that the TUs are not negotiating in the dark.

The Director of HR reminded the Committee that the University participates in national pay bargaining. This made the joint TU claim particularly challenging. The University had implemented the 2023/24 national uplift and made changes in November 2022 which benefited the majority of colleagues. The University was already at the limit of what it could afford to pay. without making difficult decision on staffing numbers. The Registrar also advised the Committee that the University's growth created more opportunities for career development and progression. Trade union representatives

UCU representatives noted that they are not asking for an increase on the national. This is a scaling and progression claim, which addresses local issues and provides local solutions, providing a fairer pay spine that that currently in place. On affordability, UCU asked if it would be a 12% year on year pay rise or a one off increase of £38.4M. The Chief Financial Office advised the Committee that it would be a recurrent increase of £38.4M and then inflation year on year after that. The Registrar advised the Committee that the University would not be able to commit to a level of investment that would reduce the opportunities for current staff to develop.

UCU representatives asked whether the University could look at alternative assimilation options to move people to different points – resulting in some staff receiving raises, and others not. The Vice-Chancellor advised the Committee that any changes to spine points or grades would incur costs, and would not be cost neutral. The University had to consider how to increase its income to afford new costs. The University needs to be very careful about cost increases and at present our only lever to increase income is through increasing international student numbers. Since the last REF the University has employed 700 new academic staff, and the University needs to be able to afford its commitment to supporting these staff to progress in their careers.

To progress the conversation, the Director of HR invited trade to share their evidence on comparative pay rates to show where the University is significantly out of step with its peers..

The Unite representative commented that on paper pay scales look similar but compared to the Russell Group the cost of living can be higher in Exeter and colleagues are leaving to look for jobs in cheaper areas of the country. This is particularly impacting trades e.g. electricians where the University cannot recruit, where the University was using contribution points and market supplements for some trades and not others, causing unhappiness between teams. The Assistant Director for Policy and Reward offered to discuss this further with Unite outside of the meeting.

5. UCU Industrial Action (UCU item)

UCU representatives advised that the joint TU pay claim had been lodged independently of the national industrial dispute and a marking and assessment boycott. UCU representatives commented that UCU are open to dialogue but at a national level UCU have not heard from UCEA. UCU representatives asked the Vice-Chancellor to ask UCEA to reopen dialogue.

UCU representatives expressed the view that the University could improve on the UCEA offer, and asked to what the University is doing to encourage others in the sector to improve the pay offer, noting that pay has been declining for a decade. UCU also asked whether the University stood by UCEA's statement of 3 May regarding sector finances.

UCU representatives noted that the JCCN agreement and joint statement commits all sides to collaborative working arrangements and that UCU consider that the current pay deductions for the marking and assessment (MAB) boycott fell short of this. UCU consider it disproportionate, punitive, unreasonable and unfair. With a workload split of 40/40/20 (research/teaching/other) for academics, a 50% deduction in salary for marking alone is disproportionate. UCU representatives asked how the University would manage arrangements when the marking had to be completed at the end of the dispute.

The Director of HR advised the Committee that the University's position on withholding pay for participation in the marking and assessment boycott was a reflection of the seriousness of the impact on the student body, not the proportion of time spent marking. The University policy is clear that accept partial performance is not accepted and the University is within its legal right to withhold pay up to 100%. This is consistent with the advice UCU has given its members. We have agreed to withhold 50% of pay to recognise the impact on the student contract and the progression of students.

The Vice-Chancellor advised the Committee that UCEA represents all universities and their collective position reflects the affordability of the whole sector. Exeter can say what we wish to UCEA but the maximum affordability of the sector as a whole is the pay offer that has been on the table and has been actioned.

UCU representatives commented further on the UCEA media statement, questioning the underpinning calculations. The data shows that staffing costs are the same as pre-Covid and with pension costs going down there will be extra money in the coming years. The Chief Financial Officer advised the Committee that accounting fluctuations are excluded from the University's forecasts and that USS may currently be in a surplus the outcome of the 2023 valuation was not yet known. If pension benefits in USS were restored, costs would increase so it was not yet possible to confirm that contribution would reduce..

The Registrar advised the Committee that the future contribution rates to USS would not be known until October 2023, and that employer costs for the TPS were expected to increase for post-92 institutions. He said that there has not been a deliberate suppression of pay. Institutions have remain financially sustainable and with limited opportunities to increase income asking for unaffordable pay increases will not make any progress. UCEA have to consider the financial health of whole of the HE in their approach to national pay negotiations.

On the marking and assessment boycott the UCU representatives asked how the impact on students has been modelled and calculated as equivalent to 50% of pay. UCU expressed the view that this is a random attempt to discipline colleagues for taking part in MAB. DUCU representatives asked where the leadership of the University leadership stands..

The Vice-Chancellor advised the Committee that the development of Strategy 2030, the new structure, changes to pay spines, joint work on workload and FEFA demonstrated that we are University that cares. The Vice-Chancellor stated that it would not be responsible to push beyond the limits of the affordability in the sector, which could lead job losses at Exeter and other institutions. The Provost advised the Committee that the marking and assessment boycott would impact on students leading to a prospect that some students will not be able to graduate for the first time in the history on English universities. The University has to reflect the impact on what is happening to students in this process.

The Director of HR reminded the Committee that the University could withhold 100% of pay but the University has started at 50%. She said that the University would apply due diligence locally before making any deductions. The The Vice-Chancellor reminded the Committee that the marking and assessment boycott would create a lot of anxiety for students and would particularly impact on disadvantaged students. It was necessary for the University to take action to protect its students.

UCU representatives commented that this this will impact staff, who are protecting their future careers and the sector as a whole, for a lot longer than our students, who are here only a few years. UCU advised the Committee that they will have to come off the MAB at some point and that there would need to be some agreement about the return to marking. It is not currently evident how this process will be managed. UCU advised that they would like to discuss this, and the local pay claim, in the regular TU monthly meeting.

6. Trade Union Engagement Report

The engagement report was noted.

7. Date of next meeting

Dates for meetings in 2023/24 will be circulated after the University Calendar for next year has been approved.