



The Educational  
Institute of Scotland

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Ms Helen Fairfoul  
Chief Executive  
UCEA  
Woburn House  
20 Tavistock Square  
London  
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Ref: DB/AS/PayNegotiations  
28 October 2015

Dear Ms Fairfoul

Thank you for your letter (by email) dated 27 October 2015 in response to my letter (dated 26 October 2015).

The EIS entered into a dispute with Employers on 9 July 2015 and signalled it would be willing to join the dispute process already initiated separately by the UCU and Unite. In the two dispute meetings the EIS made it clear that an improvement in the pay uplift was the way in which the dispute could be resolved. This position was compatible with the other two unions in dispute. During the second meeting, it is my clear understanding that I explained the consequences of the Employers' failure to improve their offer – that given the indicative ballot result that the EIS-ULA Executive would probably seek industrial action. The EIS saw the dispute process as a means of avoiding industrial action by obtaining an improved offer. At no point did the EIS indicate that the dispute was over or that the dispute process was exhausted.

I think UCEA should have understood that the EIS-ULA Executive meeting of 14 October 2015 was to decide on whether the dispute should be progressed or not, and if so, how it should be progressed. I think UCU and Unite considered similar options, although decided on a different path to the EIS. I am surprised that you left the second dispute meeting believing the dispute was over or required resurrection.

On the 20 October 2015 I wrote to Scottish HEIs to state that "there continues to be a trade dispute between your institution and the EIS" the EIS-ULA Executive would be seeking a statutory ballot and were amenable to collective discussions to resolve the on-going dispute.

You were copied into that letter and as the Employers' representative I expected you and your UCEA colleagues to represent Scottish HEIs collectively.

All Scottish HEIs ignored the invitation to talks and you emailed me on 23 October 2015 to state that the pay offer would be "implemented" since four of the five trade unions had "concluded the round". Your email also ignored the EIS request for further talks.

The EIS wrote to Scottish HEIs and UCEA within 6 days of the date that it had informed UCEA that it would be making a decision regarding the outcome of dispute meetings, and within that letter offered further talks.

As your letter points out, only two unions out of five have accepted the pay offer. There has been no agreement made at New JNCHES regarding the 2015-16 pay offer. I have not seen any UCU or Unite communication to UCEA regarding their position.

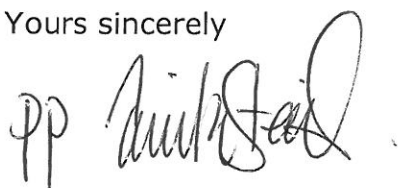
I am troubled by your statement that the *"EIS-ULA is therefore out on a limb as one of the five parties to the trade union side in New JNCHES, by deciding to remain in dispute and ballot its members for industrial action."* As you are aware, the Trade Union Side is made up of five sovereign unions requiring a consensus to make an agreement at New JNCHES. Each union decides by its own mechanisms how to respond to pay offers - and the EIS-ULA membership voted with an overwhelming majority to reject the offer earlier in the summer. There seems to be a suggestion in your email that the EIS should have ignored the wishes of its members and should not let its members decide on whether they will take industrial action or not - i.e. that the EIS-ULA Executive should simply follow the other unions.

The EIS believes that Scottish Universities and UCEA (as their representatives) have ignored calls for further talks to try and resolve the current pay dispute and that UCEA prematurely called on HEIs to implement/impose the offer. The Employers are intending to impose a pay offer despite being signatories to the New JNCHES Agreement with a commitment to strive for agreed outcomes, and to work in partnership. The EIS does not feel that it is in a partnership with UCEA/HEIs on pay or that UCEA/HEIs are striving for agreed outcomes. The EIS believes that the HEIs and UCEA seem to show little concern for the views of their academic staff on their real terms pay erosion over several years.

The EIS welcomes your offer of further talks at the end of your letter. If UCEA is unwilling to attend ACAS mediated talks (in London) with the EIS, then the EIS is willing to hold further talks with the UCEA here in Scotland - and the EIS will be willing to host such a meeting. I can offer next Tuesday or next Thursday.

I would hope that both the EIS and UCEA would be able to bring ideas to the meeting to try and resolve the dispute.

Yours sincerely

A handwritten signature in black ink, appearing to read 'pp David Belsey', with a large, stylized flourish at the end.

David Belsey  
National Officer (F&HE)