

New JNCHES Equality Pay Gaps Negotiations: terms of reference

Background

The New JNCHES offer for the 2023-24 negotiating round includes a commitment to negotiate with the purpose of seeking to reach agreement in respect of contract types, workload and equality pay gaps.

The trade unions welcome UCEA's commitment to use its leadership and convening power to identify concrete steps which employers are able to implement locally with involvement of recognised trade unions using local consultation and/or negotiation machinery.

Gender, ethnicity, and disability pay gaps – purpose of negotiations

The parties will jointly:

- Consider the relevant data available and, where possible, collect data that is unavailable through HESA.
- Examine the relevant data through an intersectional lens for gender, ethnicity, and disability pay gaps, where available.
- Present an analysis of the data and the issues to be addressed at a UK-wide level, broken down for academic and professional services staff where possible, to New JNCHES and to HEIs, and relevant sector-level benchmarks to allow meaningful local action plans. UCEA will also recommend to its members to benchmark their results using the UCEA pay gaps dashboard.
- Explore the impact on pay gaps of direct and indirect employment strategies, while recognising that these are arrangements for each HEI to determine.
- Develop and agree principles and minimum standards which employers are able to apply in action plans to address pay gaps based upon good practice, from within and outside of the sector, timescales, and the role of trade unions in action planning. These action plans will be developed and implemented locally.
- Develop and agree guidance on positive action initiatives to address equality pay gaps within the university workforce which remove well-evidenced barriers and systemic bias.
- Encourage union members/employees to share protected characteristics data with their employers, highlighting the value of such information and its importance for future analysis of gender, ethnicity and disability in pay gaps and helping to address discrimination.
- Recommend to UCEA members to undertake timetabled Equal Pay Audits and then share all audit data with their recognised trade unions.
- Review progress on all pay gaps at a UK level, including the proportion of HEIs making progress towards sector benchmarks, on an annual basis and report updated figures to the trade unions and UCEA members with further guidance and examples of success, prior to the annual pay negotiating round.

Negotiating group membership

- 10 representatives from unions, one FTO and one lay rep from each union.
- up to 10 Employer representatives (including UCEA officers and representatives from HEIs).

For this work, support will be provided from ACAS with ACAS conciliators joining meetings as appropriate/needed to ensure that progress is being made.

Additional specialists may be invited with the agreement of both sides to provide input and research findings where relevant.

Negotiations: chair and secretariat

The negotiations will be chaired on an alternating basis.

The joint secretaries will act as co-ordinator between meetings.

UCEA will provide secretariat support to the negotiations.

Meetings

Will be held regularly and as required to progress work effectively within the agreed timescale.

The meetings can take place in person or virtually, so that the joint work can be completed within the agreed timescales and provide reasonable opportunity for both sides to participate.

Responsibility for hosting meetings will be shared between the employers the trade unions and ACAS as appropriate.

Timescales

The first negotiating meeting will be held as soon as possible, subsequent meetings will include the dates already in diaries of 24 March, 5, 18 April.

We will aim to complete the negotiations by end of October 2023 at the latest.