College Sector Pay Negotiations

Briefing Note for ECYP Committee

Financial Background

The sector is not sustainably funded, with colleges having to respond to cost pressures on a number on fronts. Inflation remains high and the sector nationally is receiving flat cash funding from the Scottish Funding Council. These factors, combined with the loss of Covid-specific funding, mean colleges had to deal with cuts of nearly £52 million in the 2022/23 Academic Year. A £26m fund announced for colleges in the 2023/24 Scottish Budget has also been withdrawn.

Trade Union Pay, Terms and Conditions Claims for 2022/23

The EIS-FELA initial claim was for a £5,000 flat cash increase for all promoted and unpromoted lecturing staff. The claim from support staff trade unions (UNISON, Unite and GMB) was also for a £5,000 flat cash increase for all support staff salary points. In total, the claims from the EIS-FELA and support staff unions would have cost colleges £72.5m per annum. The support side claim also contained Terms and Conditions requests, including a request for a reduced working week of 30 hours, additional annual leave for those not already on 49 days, Living Hours accreditation, increased mileage allowance and mental health days. These would have added a further approximately £7.9m to the cost of the claim from the support staff unions.

Employer Actions to Reach a Pay Settlement

On 24 November 2022, College Employers Scotland (CES) made an offer to the EIS-FELA, based on affordability to colleges, of a 2% increase for all unpromoted and promoted lecturer scale points. This came with the proviso that it was our intention to approach the Scottish Government, seeking an additional funding uplift to improve the offer. The same 2% offer was made to the support staff unions. In total, the offers would have cost colleges £11.4m – significantly above the £9.6m that was provided to colleges in 2022/23 to cover increases in staffing and non-staffing costs.

The EIS-FELA and the support staff unions rejected the offer.

On 27 April 2023, CES, recognising the need to be flexible and creative, proposed a two-year pay deal to the EIS-FELA. The offer would have delivered a 3.5% pay rise in 2022/23 and a further 3.5% in 2023/24, providing a 7% cumulative increase over the two Academic Years. The same offer was made to the support staff unions.

Both staff groups rejected the improved offers, even though they were at the very limits of affordability and would have cost colleges £40.4m over the two Academic Years.

The Current Offer to Trade Unions

Employers moved once again to secure a pay settlement during meetings on 31 May and 1 June 2023, when all college staff were offered a £2,000 pay increase for Academic Year 2022/23 and a further £1,500 in 2023/24. This would provide a cumulative £3,500 pay rise across both years.

This is the full and final offer from employers and would cost colleges £51 million – well above the

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£9.6m provided to the sector in 2022/23 to cover increases in staffing and non-staffing costs.

The offer would also provide an average cumulative pay rise of 8% for lecturers and 11%, on average, for support staff. For support staff earning less than £25,000, the average increase would be 14%. For lecturers at the start of the scale, the increase would be around 10%. This compares with a current rate of inflation of 6.8% (as at July 2023) and a forecast from the Bank of England that inflation in the UK will fall to 5% by the end of 2023.

EIS-FELA Response

The offer has been rejected by the EIS-FELA, which says it falls below what is acceptable and would be funded by job losses across the college sector. EIS-FELA maintain their current amended pay claim of a £7,000 flat rate uplift split across 2022/23 and 2023/24. This increase would cost the college sector nearly £51 million in 2022/23 alone if it is split into £3,500 uplifts over the two Academic Years (as suggested by the EIS-FELA) and provided to both teaching and support staff.

At time of writing, the EIS-FELA has yet to put the employers' pay offer to their members in a formal ballot.

Response from the Support Staff Trade Unions

At time of writing, UNISON has yet to put the pay offer to their members in a formal ballot, indicating that it would have to include a no compulsory redundancies guarantee before they could consider recommending it.

In formal ballots, the pay offer was overwhelmingly accepted by members of the GMB union and narrowly rejected by a small number of Unite members.

CES Position

CES has confirmed that this is the employers' full and final offer. Colleges cannot afford to go beyond the £51m cost of implementing it.

Current cost pressures mean that a guarantee on compulsory redundancies, as requested by the support staff unions, is not possible. However, employers have committed to managing organisational change through voluntary measures, in accordance with the Fair Work agenda. Compulsory measures would only be used as a last resort, once all other measures have been considered.

Industrial Action

There is a pressing need to reach an agreement on staff pay. On 2 May 2023, the EIS-FELA launched industrial action short of strike (ASOS), including a resulting boycott. Colleges have been working with partners across the education system to mitigate the impact of the resulting boycott and support students who want to access university places, employment, and apprenticeship opportunities. Colleges would urge lecturers participating in the EIS-FELA's resulting boycott to enter results which students have worked so hard for. Students should not be made to suffer because of circumstances beyond their control.

The EIS-FELA and UNISON have also announced that their members will all take strike action on 7 September 2023. They will be joined by around 100 Unite members across four colleges. This will be followed by a rolling programme of dates for localised strikes at individual colleges.

Strikes will add to the already significant disruption endured by students. CES has urged the EIS-FELA and UNISON to call off the planned strikes and take the employers' full and final pay offer to their members in a ballot.

Lessons Learned

Efforts are ongoing to improve national bargaining, break the cycle of annual disputes within the college sector and make future industrial action less likely. The Lessons Learned report from Strathesk Solutions, first shared in March 2022, sets out a range of recommendations that could bring about positive change, not least proposals for the appointment of a new independent Chair of the National Joint Negotiating Committee.

College employers have accepted the independent report as a whole and are ready to work with the Scottish Government and trade unions on implementing the recommendations. They would also be keen for clarity from the Government on how and when the report's recommendations will be progressed.

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