

Commentary on Sally Hunt's referendum Q&A's

Introduction

Sally Hunt has posted a set of Q&A's on UCU's website regarding the three questions in her referendum. This appears to be a continually developing document as members ask more questions. The paper below summarises on behalf of UCU Left some of our concerns and objections to key elements. UCU Left has called for a no vote in the referendum on the grounds that Congress delegates should decide such matters after full debate.

From an organising to a servicing model of a trade union

Sally Hunt's proposals betray her wish to move from an organising model, based on membership activity, to a servicing model. ***This is the fundamental issue which needs to be debated. It is not the model on which UCU was founded and which has contributed to a growing, healthy union at the forefront of collective action to defend education and our members' pensions, pay, conditions and jobs.***

What is her proposed "new package of employment and legal support"? (Question 3).

We are given no information on how it will be different from what the union already does. Is the proposal to fight more legal cases, employ more officials etc.? The General Secretary proposes to save around £600,000 over her term of office through reducing the size of the NEC and the number of sub-committees.

£600,000 over five years is £120,000 per annum. This might provide funds for a few more legal cases or to employ one or two more regional officials. While such developments would be welcome, they would not radically transform the level of services UCU can provide for its members. ***But the cost to our democratic procedures, and our effectiveness as a union, would be incalculable.***

The size of the NEC (relating to question 5)

The General Secretary wants to shrink the National Executive "from 72 to a maximum of 40" and to redirect any savings to direct representation of members.

The current size and composition of the NEC was carefully designed in 2006 when Natfhe and AUT merged to ensure that it was not dominated by any one sector of the union but would have representation from both pre and post-92 institutions in HE (where different conditions of service pertain), and from Further Education. It ensured that academic-related staff and those on casual contracts would be represented.

Where is the Equality dimension in the GS's proposals?

There is nothing in her proposals about:

- protecting the equality seats on the NEC;
- ensuring that a minimum number of women NEC members are elected;
- ensuring that a minimum number of women national negotiators are elected, as provided for by present formulae for election of negotiators

Why is Sally Hunt silent on these issues? Surely before members vote they need to know how a smaller NEC would be constituted and which seats discontinued? Will an Equality Impact Assessment be carried out?

What about sectoral representation?

Again Sally Hunt is silent on the detail. If members vote yes, what are they voting for?

- What proportion of FE and HE places will there be on the NEC?
- Will the FE part of the NEC include a representative from prison educators or not?
- Will the HE part of the NEC include any representation of academic-related staff?
- Will the HE part of the NEC include any representation of members in post-92 HE?
- Will there be any post-92 national negotiators elected in HE?

What about geographical and national representation?

At present some NEC seats are elected on the basis of representation for Scotland, Wales and Northern Ireland and some on the basis of geographical areas in England. This ensures that there are NEC members who relate to the Scottish, Welsh and Northern Irish Assemblies and that there is some geographical spread. This is sensible so that the NEC is not, for example, London-centric. It also makes it more practical for NEC members to report back to branches and regional committees. To start with an arbitrary figure of 40 for the NEC rather than starting with a debate on the pattern of representation needed could mean either geographical or UK-wide seats might disappear.

The IFL ballot (question 9 on UCU's website)

Sally Hunt refers to the IFL ballot. It is correct to state that the offer was put to a ballot of members with a recommendation from FEC to reject. Before this, however, the General Secretary wanted to put the deal to members with a recommendation to accept. This was overturned by the FEC. The members in the ballot supported the FEC recommendation to reject and to boycott the IFL, which continues, and which has delivered a victory in that it has forced an independent review of the IFL and professional representation in FE.

The 'final' offers issue: (question 14 on the website)

The General Secretary's proposal says "*Where a majority of our negotiators believe employers have made an offer which will not be further improved through negotiation or without escalation of action, this will trigger a ballot of members*".

Currently such a decision is made by the relevant industrial committee of the NEC, either the Further Education Committee (FEC) or the Higher Education Committee (HEC) depending on the sector, or delegated to the Strategy and Finance Committee if the dispute is cross-sectoral, as in the case of TPS.

The union's industrial committees are in fact broader and more representative than the negotiators. The General Secretary's proposal actually makes any decision about what might constitute a 'final offer' much **less** accountable and **less** democratic than the current situation.

Currently, if the HEC or FEC consider that an offer really is a *final* offer then there would be a ballot of members. Under the General Secretary's proposal, however, it would be enough for a simple majority of the negotiators to decide that an offer is final for a ballot to be triggered **with no reference back to the industrial committees of the union**.

In the current TPS dispute, for example, the General Secretary insisted that the government's offer on 19th December constituted a final offer and should be put to ballot.

However, the majority of TPS members on the NEC, based upon their soundings in branches and regions, disagreed. Today's outcome of the TPS consultation, in which the NEC's call to reject the offer and strike on 28th March has been supported by large majorities, vindicates that view. The turnout, incidentally, was two to two and a half times that of the GS election.

Had we balloted we would have paid tens of thousands of pounds to the Electoral Reform Society. Had members then voted to accept the offer Government would not have been forced to make the recent further 'final' offer.

Members do now have the right to vote on the final settlement of a dispute, but we need robust mechanisms, **ie reference back to those representing branches, regions and other constituencies in the union – the NEC members** - for ensuring we have reached the final and best possible offer before putting it to a membership ballot.

Why voting without prior debate or discussion is a pale imitation of democracy

"Members will be directly consulted about a final annual pay offer before the union holds a special conference" (answer to question 3). Why before and not after? What is the problem with debate at a special conference? Calling votes without any prior discussion means that whoever writes the accompanying commentary can steer the vote in a particular direction. Voting in a trade union should be done after proper debate and consideration. The GS is proposing to end genuine debate and decision-making at sector conferences.

How will directly elected negotiators be accountable? (Question 11)

Will members have any right of recall?

Who will these directly elected negotiators report to?

Will they attend HEC/FEC or Sector Conference? (Incidentally this is an additional expense if they are not already members of these bodies.)

What information will members have about candidates before electing them? At sector conference candidates for lay negotiator provide a statement about their negotiating experience. Will this happen with lay negotiators elected from the general membership?

What is the process for making changes to the UCU constitution? (Question 12)

Sally Hunt writes *"I will then start work with the newly elected NEC and its Officers on urgent proposals for an NEC of no greater than 40"*.

So Congress is being asked to vote on the size of the NEC and leave the composition to the NEC to work out. Why should Congress vote without knowing the detail? It seems that no discussion is contemplated at NEC or elsewhere in the union before the General Secretary proposes rule changes to Congress.

Members should perhaps ask why the elected constitutional leadership bodies of the union are being marginalised. Congress is the supreme decision-making body of UCU and deserves to have the full details of any proposed changes before voting. That is the only way to have a meaningful and informed debate.