



INFORMATION - FOR THE GUILD OF STUDENTS REFERENDUM

11 NOVEMBER 2021

1. Why is the proposed industrial action happening?

The University and College Union (UCU) that represents some academic and academic-related staff at the University have balloted their members on two main issues; disputes over pensions, and pay and working conditions. This is a national dispute so a number of universities will be affected. The University of Birmingham cannot act in isolation to influence the outcomes that UCU is seeking.

All of our staff continue to work incredibly hard to deliver the best possible experience for students, particularly over the last 18 months of the pandemic, and while we respect the rights of staff to ballot for and take industrial action, we are extremely disappointed that this action will target aspects of students' education locally.

Nationally UCU only met the threshold for strike action on pay and other issues in 56 out of 146 universities where ballots took place. At Birmingham UCU did receive a mandate for strike action.

Of some 6000 eligible academic and academic-related staff at this University, this disruption has been triggered by just 482 votes in favour of strike action over pay and 512 in favour of strike action over pensions. While this is a minority of staff, we can expect to be affected and this will be felt in some Schools more than others.

We are also concerned by reports that Birmingham UCU is pushing for 5 days of strike action this term which exceeds the two days being proposed by the General Secretary of UCU, which we believe will disproportionately and unfairly impact the education of our students who have experienced significant disruption to their education for more than 18 months as a result of the pandemic.

We understand that our staff deserve good pay and working conditions and the benefits of a secure pension when they retire. Birmingham is an excellent place to work and study, and we continue to sustain high levels of investment in our staff including through increased expenditure on and contributions to both pay and pensions and also through a major programme of work on equality and a new initiative to support career development, particularly for early career researchers.

We understand that pensions in particular are complicated and so have provided a summary of some of the recent things that the University has done to support pay, pensions and working conditions for our staff.

On pay - the University was pleased to implement a 1.5% pay increase for all staff on academic and related contracts for this year. This was negotiated nationally and paid in September, back dated to August 2021.

For our support staff, where we negotiate pay locally with the support staff unions, we have agreed to implement a 2.5% pay increase backdated to 1st August 2021, which will be paid this month.

On pensions – the University, along with the other employers in the Universities Superannuation Scheme (USS), has increased the amount of money it contributes towards staff pensions by 50% over the last 12 years, from 14% to 21.4% of salary from October 2021, including a recent increase of 3.4%. This equates to the University paying an additional £15million a year towards the pensions for staff who are members of the scheme. We also recognise that staff have also increased the amount

that they pay towards their pensions which has increased in the same period from 6.35% to 9.8% of salary. As a University we have done our best to support any measures or actions which maximise the benefits of what remains a generous pension offering, without additional and unsustainable costs to either members or the University. Birmingham is one of 340 employers who use the USS pension scheme so it is important to note that this is not something that we can resolve independently.

- **On holiday pay/leave entitlement** – we recognise that staff work hard for the University and provide a generous 40 days paid leave a year, which is significantly more than the private sector average. In addition, over the last two years staff have received an additional 4 days of holiday leave in recognition of the challenges of working during the pandemic.
- **On equality** - there is a wide-ranging [equality change programme](#) underway which has already addressed some of the concerns that have been raised by UCU.
- **On progression and career development** - particularly for early career researchers, the University has recently approved (with support from the local branch of UCU) a new [Birmingham Academic Career Framework](#) which invests heavily in support and development for early career academic staff. Similarly, the [Birmingham Professional programme](#) provides a broad programme of training and support for staff working in professional services roles.

2. What is a picket line?

A picket line is simply the term used for a gathering of staff who are on strike. Picket lines are regulated by law and should only occur on public land, not University premises. Hence, if there are confirmed strike action days, you may see groups of staff on the periphery of campus on these days. Any gatherings are expected to be peaceful and should not be intimidating. If these gatherings occur, we will ensure they operate respectfully and within legal expectations:

The law allows pickets to seek to explain their case to those entering or leaving the picketed premises, and/or to ask them not to enter or leave the premises where the dispute is taking place. This may be done by speaking to people, handing out leaflets or carrying banners or placards. In all cases this activity must be carried out peacefully.

In no circumstances does a picket have power, under the law, to require other people to stop, or to compel them to listen or to do what the picket asks them to do

3. What does it mean to cross the picket line?

'Crossing a picket line' simply means that a person is going about their normal business on campus and we want both students and staff to continue to fully engage in campus life throughout any period of industrial action. As above, if picket lines do occur, they are expected to be respectful and should not prevent students or staff from going about their day to day activities on campus.

Students (and staff) can, of course, choose not to cross a picket line, but will need to consider and take responsibility for the precise impact that this decision may have on their own studies. For example it would not be considered as an extenuating circumstance if your learning was impacted as a result of your decision not to cross the picket line and, therefore, not to attend lectures and

seminars. Wherever possible, we will be mitigating the impact of strike action, and in many areas there will be little, if any impact. In many instances therefore teaching sessions will be running normally, and we would expect students to attend as normal.

a) Is going to the Sports Centre or sports training crossing the picket line?

We want both students and staff to continue to fully engage in campus life throughout any period of industrial action, including academic, social and other activities. You should therefore feel able to continue to fully participate in sports training, attending the Sports Centre and all other activities.

UCU have, in the past, picketed all main entrances to campus, but picket lines are not allowed on campus or to target specific buildings. Staff on a picket line cannot prevent other members of the University community (other staff, students or visitors) who are not on strike from accessing the campus as usual.

b) Is going to an online lecture or activity crossing the picket line?

We want both students and staff to continue to fully engage in campus life throughout any period of industrial action, including academic, social and other activities. You should therefore feel able to fully engage in your normal study activity, whether in person or online.

However you choose to continue to engage with your studies throughout the period of industrial action, you cannot be prevented from taking part in your studies or any other activities on the campus.

What impact will students see on their education if the strikes go ahead?

Our priority will be to ensure students and staff can continue to fully engage in campus life throughout any period of industrial action, including academic, social and other activities. We will take concerted action to minimise the impact on student learning, outcomes and experience and we are planning to do everything we can to monitor the situation and put mitigations in place.

However, we are disheartened to note that if staff strike or take Action Short Of a Strike (ASOS), the UCU expectation is that they are doing so with the intent of disruption to the student experience, so it will not be possible for the University to entirely prevent impact for all students.

At the current time we do not know which individual staff members will take direct strike action. In previous strikes this has only been a small number of staff, with students on many programmes experiencing little or no disruption. If your lecturer is striking they might tell you in advance that they either will or will not be teaching on a strike day - but they are not obliged to do so.

The University will make every reasonable effort to contact students in advance about any changes or cancellations and this will be communicated to students via their School/Department.

Your School/Department will make every effort to make alternative arrangements for any cancelled events, including lectures, seminars, individual appointments, lab sessions etc. This might include scheduling additional sessions at other times and making supporting materials available that you can review through Canvas. This will help to ensure that you do not miss any of the essential content for your course.

If you have any specific concerns about any aspect of your course, whether lectures, small group sessions, particularly important laboratory work or other time-sensitive activities, then you should contact your School in the usual way. Please do not hesitate to get in touch.

4. Can postgraduate teaching assistants take part in the industrial action?

Postgraduate teaching assistants, who are employees of the University, can take part in the industrial action if they choose to, and will be treated the same way as any other employee taking industrial action.

5. Can international students support the strike when attendance is crucial for maintaining their visa status?

Students who wish to support the strike action can do so, as long as their behaviour remains peaceful and lawful, and they will need to take personal responsibility for any learning that they miss as a result of their action.

For international students, it is not something that would impact on their visa conditions by default. However, all (International) student route visa holders in the UK must take personal responsibility to continue to engage with any attendance and engagement processes in order to meet the conditions of their visa. Currently we do this by measuring a range of engagement activity, including the requirement to monitor attendance at selected in-person sessions on campus.

For all student route visa holders (previously known as a Tier 4 visa) the requirement to engage with their studies can sometimes be interrupted by matters outside their control, for example, severe weather conditions or, as in previous years, industrial action. Last time there was industrial action on university campuses the Home Office released a statement to confirm that if a student could not attend because their teaching was impacted by strike action the student was not to be penalised or marked as not in attendance – it was to be noted and disregarded. A similar approach might be expected, but has not been confirmed at this point. We will ensure we provide timely communications of any Home Office clarifications received.

6. What support will be available for students during the strike period?

Our priority will be to ensure students and staff can continue to fully engage in campus life throughout any period of industrial action, including academic, social and other activities. We will take concerted action to minimise the impact on student learning, outcomes and experience and we are planning to do everything we can to monitor the situation and put mitigations in place.

Providing support for student wellbeing is a particular priority for the University and our [student wellbeing services](#) will remain available both in person and virtually throughout any period of strike action.

Library Services, academic skills support and physical study spaces on campus will all continue to be available – in addition to our substantial online resources. Your Schools and departments will

continue to provide support for your studies and we will be sure to keep you informed about any additional support as the period of industrial action progresses.

All of the details about our student wellbeing services are available here: [Your wellbeing \(birmingham.ac.uk\)](#)

7. What should a student do if they want to complain about the strikes?

As previously noted, our priority is to ensure students and staff can continue to fully engage in campus life throughout any period of industrial action, including academic, social and other activities. We will take concerted action to minimise the impact on student learning, outcomes and experience and we are planning to do everything we can to monitor the situation and put mitigations in place.

We are very sorry that some students may experience some disruption during any period of industrial action as a result of the actions taken by a small number of staff members. All students are encouraged to maintain close contact with their School/programme, and to access the support and other services available, recognising that some mitigations may take longer than others. Schools/programmes are committed to ensuring clear and continuing communications with any impacted students and will support you throughout any disruption.

However, any student can make a complaint if they are dissatisfied with any aspect of the University's services. If you are not satisfied with the support provided and would like to raise a complaint then all of the further information about the process is available here: [Student complaints \(birmingham.ac.uk\)](#)

8. What will happen to the pay that teaching staff won't receive whilst on strike?

As was the case the last time that staff went on strike, any withheld pay will be used to minimise the impact on students and support the delivery of mitigating or other actions, all of which will support the overall student experience.