**Consultation response form**

Your name: UNISON Cymru Wales (contact Alastair Gittins)

Organisation (if applicable): -

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Responses should be returned by 29th September to:

Post-Compulsory Education and Training (PCET) Reform Team

Education, Social Justice and the Welsh Language

Welsh Government

Cathays Park

Cardiff

or completed electronically and sent to:

email : PCETReform@gov.wales or DiwygioPCET@llyw.cymru

**Question 1** – Do you agree with the lists of unions ? Are there other unions operating in the Welsh tertiary education sector who you think could be added to the lists?

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| Agree | [ ]  | Disagree | [x]   | Neither agree nor disagree | [ ]   |

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| Only trade unions recognised for collective bargaining purposes should be within the list of trade unions. The repeated use of the word ‘represents’ in this context is misleading and unhelpful. It should instead be ‘is recognised for…’. Any trade union can represent an individual in any workplace, but this is completely different from being a trade union recognised for bargaining purposes which consults with their members and can effect change in the workplace through negotiations and discussions with employers.Trade unions have been included that are not recognised in Higher Education, Further Education or sixth forms in Wales and there are no other unions that should be added. For Professional and Business Support Staff, UNISON, GMB and Unite are the only recognised trade unions and UNISON has the highest membership in these settings. Those unions who are not recognised cannot bargain on behalf of staff.Please note that ‘Business and Professional Support Staff’ is a commonplace term within the sector, we suggest this should be used going forward in place of ‘non-academic staff.’ Non-academic has an implication of inferiority which is to be avoided.UNISON is also recognised for bargaining purposes at Careers Wales, which plays an important role within this sector, advising and supporting young people and the unemployed into education and training and apprenticeships.Unions on the two lists should therefore be the recognised unions for both Academic staff and Business and Professional Support Staff. |

**Question 2** – Do you agree with the learner representation body named ? Are there other learner representation bodies operating in the Welsh tertiary education sector who you think could be added to the list to represent learners?

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| Agree | [ ]  | Disagree | [ ]   | Neither agree nor disagree | [x]   |

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**Question 3** – How could the Commission best hear and represent the views and voices of the learner ?

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| No comment |

**Question 4** – **Equal Opportunities**

The Commission will become a listed body under the Equality Act 2010 and be held responsible for eliminating inequality of opportunity, unlawful discrimination, harassment, and victimisation, and foster good relations between different groups. It will take all steps necessary to ensure educational inequalities narrow and standards rise.

We would like to know your views on the effects that including the appointments of associate members on the Board who represent education workforce and learners, would have on equality of opportunity.

What effects do you think there would be on the equality of opportunity? How could positive effects be increased, or negative effects be mitigated?

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| Welsh government is right to emphasise equal opportunities. It is important appointments should take into account proportionality and under-represented groups. UNISON and the trade union movement is fully committed to equal opportunities. We are the voice of a diverse workforce and act to drive change in workplaces and society. The inclusion of trade unions on boards will assist in the aim of ensuring representation more truly reflects the post 16 educational community. |

**Question 5** – We would like to know your views on the effects that including the appointments of associate members on the Board who represent education workforce and learners, would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English.

What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

**Supporting comments**

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**Question 6** – Please also explain how you believe the proposed policy on including the appointments of associate members on the Board who represent the wider tertiary education workforce and learners could be formulated or changed so as to have positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favorably than the English language, and no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favorably than the English language.

**Supporting comments**

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**Question 7** – We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

We do not believe that just one academic and one non-academic (or business and professional support staff) representative is sufficient to properly reflect the wide range of settings across this broad sector or to adequately amplify employee’s voices and concerns as the Social Partnership and Public Procurement (Wales) Act 2023 intends. We propose there should be at least two non-academic (or business and professional support staff) representatives, sitting alongside two academic and two learner representatives. Our reasoning is set out below: -

The commission will have oversight of higher education, further education, and sixth form education; the experiences and working environment of support staff in the sixth form of schools is very different to that of support staff in further education, and again very different to relevant staff in higher education. Furthermore, there is a wide range of business support roles and we do not have confidence all these roles can be understood and represented fairly under the arrangements proposed with just one representative. Inevitably one or more groups will be disadvantaged.

There is already a wide gap in the terms and conditions between academic and non-academic staff/ business and professional support staff, and this runs throughout the whole education system. At school level most school support staff are employed on term-time only contracts as are many at FE and HE institutions. In Further and Higher Education, the support and business roles are always first to face cuts or to be outsourced on inferior terms and conditions of employment. Without the adequate worker voice from across the whole education workforce on the Commission, we are concerned that this two-tier culture will become further entrenched.

The higher education sector has a national pay and grading system, at present this doesn’t apply to further education which currently struggles with recruitment and retention because of inferior pay, terms, and conditions. If the sector is to function as one, a two-tier workforce must be guarded against. A strong support staff voice on the Commission would mean an opportunity to put this right and promote equality for staff between the sectors.

Furthermore, sixth form colleges are aligned to NJC terms and conditions and so are another, differing structure that needs to be considered.

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| Responses to consultations are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please tick here: | [ ]  |