

Introduction to the dispute and current state of the negotiations

Leicester UCU entered into formal dispute with the University's Executive Board in regard to concerns over on-campus working on 2 October 2020 (full details [here](#)).

At the beginning of dispute resolution negotiations, Leicester UCU made two demands:

1. A process for enabling staff to opt out of on-campus working, based on self-assessment of their safety and capacity, without detriment
2. A university-wide implementation of a Tier 3 approach to on-campus working (defined by Department for Education [here](#); in the University of Leicester's COVID Strategic Response Framework [here](#))

Following four dispute resolution meetings, two LUCU member surveys, further meetings and written correspondence to discuss particular Health & Safety concerns, we believe we have exhausted the initial round of the dispute resolution process, and have arrived at the following position on the two key dispute issues. After the summary of where we are, we include the LUCU Committee's recommendation for how you vote and the survey link in which you can vote on determining the outcome of the dispute at this stage.

1. Opt-out of on-campus working for individual staff members

LUCU's proposal for a reporting process for staff to opt-out of campus working for a variety of self-assessed reasons (health, mental health, travel concerns, caring responsibilities etc) was rejected by Executive Board, on the basis that the existing risk assessment process should be able to account for all these factors. LUCU survey evidence was presented to show this had not consistently been the case.

In collaboration with LUCU Health & Safety Officers, the University has adapted the Individual Risk Assessment form and guidance notes to explicitly acknowledge a wider array of issues affecting staff capacity for on-campus working beyond clinical vulnerabilities, including disability, anxiety, and travel concerns. Information on the risk assessment process has been clarified and streamlined. Staff can also self-refer to occupation health, rather than having to go through their line manager in the first instance, if this is a cause for concern. The new form and the updated guidance can be accessed [here](#).

2. Implementation of Tier 3 approach to on-campus operations

LUCU's position in calling for a Tier 3 approach was based on scientific evidence and guidance provided by SAGE and Independent SAGE, both of which made recommendations in September 2020 for universities nationwide to adopt this approach for at least the duration of semester 1.

The University's position has been to argue that their decisions about which Tier to operate in have been closely guided by their collaboration with local Public Health authorities, led by Dr Ivan Browne, ongoing since mid-summer 2020. Based on UoL case numbers, on-campus safety measures, and the University's systems for tracking cases (and supporting associated self-isolation measures), they argue the local Public Health authorities were satisfied for Leicester to remain at Tier 1, even despite the national lockdown that commenced on 5 November 2020. They described the University's move to Tier 2 on 2 November as an extra precaution. At the final dispute resolution meeting, Executive Board further indicated that UoL has interpreted Tier 2 more strictly than some other universities and is similar to other universities' Tier 3 operating model.

To assess the robustness of the Executive Board's claims about the local public health data/guidance being more important for our University's circumstances than the national guidance of SAGE and Independent SAGE, LUCU Health & Safety Officers sent detailed written comments/questions to Executive Board on 8 October, a version of which is published [here](#). LUCU received partial responses to these queries in a meeting on 3 November. LUCU will publish a summary of those responses to help inform your assessment of the status of the dispute on this issue very shortly. Since the meeting was not minuted, LUCU sent a written summary to Executive Board members present at that meeting on 6 November, to check for accuracy and to ask for further brief clarification on a number of issues. We await a reply.