Minister for Further Education, Higher Education and Science

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To: Principals of Further Education Colleges
Principals of Higher Education Institutions

19th August 2020

Dear Principal

I am writing to you as I am aware that many of you are currently reviewing your staffing and resourcing requirements in advance of the forthcoming academic year, and in light of the challenges caused by Covid-19.

Firstly, let me say that I am well aware of the great financial pressures facing colleges and universities as a result of the pandemic, and of the hard work that you and your teams are putting in to try to ensure the financial sustainability of your respective institutions. The Scottish Government is doing all in its power to try to alleviate the situation and, as you are aware, last month I announced to Parliament our Further and Higher Education Sustainability Plan. This highlighted the steps the Scottish Government has already taken to support higher education, including £75m to protect world leading research; £10m for estates development; and an additional £5m across FE and HE student support. The Sustainability Plan also details the further measures we will take.

However, I am aware that much more needs to be done, and I should say that, alongside the actions we are taking, additional resource from the UK Government will be crucial. I continue to make that case to UK Ministers. The Scottish Government will continue to support the FE and HE sectors, as they are key to Scotland's wider economic recovery.

In spite of the challenges however, we must not lose sight of other aspects of our vision of a modern and fair Scotland. In particular, Fair Work remains central to our strategy. As you will be aware, earlier this year, my colleague, Fiona Hyslop MSP, Cabinet Secretary for Economy, Fair Work and Culture, signed a joint "Coronavirus (COVID-19): Fair Work Statement" with other stakeholders (https://www.gov.scot/publications/coronavirus-covid-19-fair-work-statement/). Amongst other commitments, the statement specifies that employers should look to maintain jobs, pay their workers, and work with them throughout the crisis; that employers should seek to minimise detriment to fixed term, hourly paid or irregular contract staff, temporary agency workers and self-employed contractors; and that workers

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should have effective voice channels, including through trade unions, for maintaining constructive dialogue with employers.

In practical terms, this means compulsory redundancies only being implemented as a last resort. I do not doubt that the decision to consider compulsory redundancies is ever taken lightly. But I urge you only to use this option after all other cost-saving measures have been fully explored. Institutions should also, wherever possible, look to follow best practice examples to protect outsourced ancillary workers (subject to their own specific contractual arrangements with suppliers) and when dealing with staff on fixed-term or temporary contracts. I would also encourage best practice in working closely and early with trade unions as key stakeholders. I think we all recognise that the joint challenges of Covid and Brexit mean that we need to create a new future that will not be the same as what has gone before. That will only be successful if we recognise that the necessary changes are co-developed, and that Fair Work Principles are adhered to and embedded.

As I have said, I fully accept that these are very challenging times that require tough decisions to be made, and that the responsibility for these decisions ultimately falls on your shoulders. I am also aware of the many examples of good practice that already exist in institutions in relation to these matters. But adopting a Fair Work approach is more important than ever, and we must strive to ensure that, where possible, jobs and income levels can be protected for the benefit of the wider economy.

Yours sincerely

[redacted]

RICHARD LOCHHEAD

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