

**Agreed Minute of the Meeting of the National Joint Negotiating Committee (NJNC) – Side Table (Support), on Wednesday 15 March 2023 at 0930-1130, via Video Conference**

<b>In Attendance</b>	
Alasdair Barron	Management Side
Liz Connolly	“ “
Debbie Kerr	“ “
Alan Ritchie	“ “
David Watt	“ “ (Chair)
Fiona Blain	Staff Side
Collette Bradley	“ “
Martin Clark	“ “
Chris Greenshields	“ “
Alison MacLean	“ “
Laura McLean	“ “
Heather Stevenson	Management Side Joint Secretary
Lorcan Mullen	Staff Side Joint Secretary
Gavin Donoghue	Director of College Employers Scotland
Jillian Cheape	Secretariat
Frances Harrower	Job Evaluation Project Manager
Anne Davidson	Note Taker
Louis Martin	Zoom Administrator

**30/23 Welcome and Apologies**

The Management Side was in the Chair for this meeting. David Watt welcomed all to the meeting. Apologies were received from John Slaven, Staff Side.

**31/23 Pay Claim 2022/2023 – First Dispute Meeting**

The Management Side advised that there has been no change to the original pay offer.

The Staff Side set out its expectation that the meeting today should involve discussion around the pay claim, including Terms and Conditions and pay harmonisation. It sought clarity around funding arrangements with the Scottish Funding Council (SFC) and stated that it expects a flat cash offer and not the percentage offer previously made. It also stated the expectation that the current offer needs to move significantly before it takes a proposal back to its members.

The Staff Side view is that the pay claim is not solely about cash but also relates to the Job Evaluation process and agreements around its proposed changes to existing terms and conditions.

The Staff Side stated it is awaiting a response in relation to the Terms and Conditions as part of the pay claim and that to date, little progress has been made on this element of the claim.

The Management Side acknowledged the points raised and the frustration expressed and advised that these issues are due to be discussed at the upcoming College Employers Scotland (CES)

meeting in the afternoon and at the meeting with the Ministers scheduled for Thursday 16 March 2023.

The Management Side stated that it is in agreement to transparency in relation to the details from the SFC and confirmed that such information has been shared previously.

The Management Side rejected the view that the Pay Claim should be linked to the Terms and Conditions on the basis that these are discussed at working group meetings, which have so far agreed to look at Miscellaneous Leave and Mental Health in particular, as these are the items identified by the Staff Side as being of top priority at this stage. The Management Side asked for clarity on the specific elements within the Terms and Conditions it wants addressed if this has changed from what has previously been advised.

The Management Side enquired whether the Staff Side had reviewed its position on the current pay claim, which could allow for further discussion at the upcoming Ministerial meeting. The Staff Side confirmed it was not revising its claim and asked the same question of the Management Side, who confirmed that it was intending to have further discussion around the pay claim later that day at the CES meeting.

The Staff Side did not agree that there has been transparency on finance and also stated that earlier proposals to look at piloting a four day working week had not been progressed and stated that responses to date from the Management Side are disappointing, negative, show a lack of urgency and gives the impression to members that their concerns are not being taken seriously. The Staff Side advised it was reaching a point where it was considering whether to serve notice regarding balloting its members on strike action.

The Staff Side stated that if the offer EIS have taken to teaching staff is matched for lecturers, and, if there is a flat cash offer to all staff, along with progress on Terms and Conditions, then this could be the shape of an offer it could accept. The Staff Side questioned the point of having this meeting when nothing was able to progress and given that the CES and Ministerial meetings are upcoming.

The Management Side confirmed that the meeting today had been arranged in response to the notice of formal dispute issued on the 9 February 2023 and is in accordance with the procedures set out in the National Recognition Procedure Agreement.

The Management Side again highlighted a need for clear response on the Staff Side's priorities within the Terms and Conditions and for this to be provided before the next Side Table meeting. The Management Side committed to restarting work in relation to the four day working week, noting that the previous meeting to discuss this had been cancelled at the request of the Staff Side. The Management Side confirmed it had invited Scottish Government representatives to discuss the four day working week and that this will be picked up in future meetings.

The Staff Side disagreed and said the meeting had been postponed only, but that the employers had used it as an excuse to do so permanently this breaching last year's agreement to set up pilots.

The Management Side categorically denied that this was the case.

It is the Staff Side's view that in order to make progress, discussions on Terms and Conditions should be part of the Side Table meetings as opposed to being referred to working group meetings, as this will allow for quicker responses.

The Management Side advised that as there is a clear need to further, more in depth discussion on the 16 items raised within Terms and Conditions, that a quick answer was likely to be that the

requests would need to be declined by the Management Side, and that as such the discussions on Terms and Conditions should remain within the forum of the working group meetings.

The Management Side confirmed that it will make the point to ministers around timescales and lack of clarity around funding.

It was agreed that there would need to be another meeting scheduled as soon as possible following the CES and Ministerial meetings in order to discuss the outcomes from these and make progress on the pay claim.

### **32/23 Job Evaluation – New and Evolved Roles – Second Dispute Meeting**

It was confirmed that this was the second dispute meeting in the Job Evaluation dispute, specifically in relation to new and evolved roles. The Staff Side advised that it was only in receipt of the previous meeting minute in terms of detail on this issue and that there is currently no new paper on Job Evaluation that discusses new and evolved roles.

The Staff Side view is that they wish new and evolved roles to be dealt with at a national level as agreed by the working group. Its view is that this needs to be agreed at a national level to allow progress on pay negotiations. The Staff Side view is also that equal points on the Job Evaluation scoring system, must equate to equal pay for equivalent roles across all colleges in the sector.

The Management Side view is that new and evolved roles cannot be discussed in full until further discussions take place on pay and grading.

Following detailed discussions, it was agreed that the Job Evaluation dispute regarding new and evolved roles is still in place and further discussions are required.

### **33/23 UNISON Facilities Time**

The Staff Side outlined its position that there must be commitment from the Management Side to agree to the uplift on Facilities Time to five FTE in order to avoid the need to raise a further formal dispute.

The Staff Side asked for immediate access to the quantum of five FTE, without the need for details on the National Release Agreement (NRA) to be finalised. It is its view that the indemnity clause is not required and that there should be a national consistent proposal over and above local agreements. It is also their view that the NRA does not constitute secondment and that this is misinterpretation on the part of the lawyers.

The Management Side confirmed that Facilities Time is on the agenda for the CES meeting that afternoon and that they would seek to reach agreement with the members and confirm future meetings to finalise the NRA.

### **34/23 Date of Next Scheduled Meeting**

The next scheduled meeting of the Side Table (Support) is to be confirmed following the Extraordinary CES Meeting on 15 March 2023 and the meeting with Jamie Hepburn, Minister for Higher Education, Further Education, Youth Employment and Training on 16 March 2023.

## Action Monitoring Log

<b>Wednesday 8 December 2021</b>		
<b>Action</b>	<b>Owner</b>	<b>Completion Date</b>
Provide an update on Scope.	Management Side	Complete
Continue discussions on Job Evaluation Post 2018 Roles.	Joint Secretaries	In Progress
<b>Wednesday 9 March 2022</b>		
<b>Action</b>	<b>Owner</b>	<b>Completion Date</b>
Provide an update on SFC's role in verifying costs.	Management Side	In Progress
Provide an update on what actions have taken place relating to roles out of Scope.	Management Side	Ongoing
Seek clarity with regards to how NJNC agreements would affect those out of Scope.	Management Side	Ongoing
Continue discussions on Long Covid with regards to joint work as a way forward.	Joint Secretaries	Ongoing
<b>Wednesday 26 October 2022</b>		
<b>Action</b>	<b>Owner</b>	<b>Completion Date</b>
Continue discussions on Facilities Time to form a basis for consideration at the next meeting.	Joint Secretaries	Complete
<b>Wednesday 2 November 2022</b>		
<b>Action</b>	<b>Owner</b>	<b>Completion Date</b>
Continue discussions on Facilities Time.	Joint Secretaries	In Progress
<b>Wednesday 7 December 2022</b>		
<b>Action</b>	<b>Owner</b>	<b>Completion Date</b>
Re-share Scottish Government guidance on the £400 payment to teachers with the Staff Side.	Management Side	In Progress
Continue discussions on Long Covid.	Joint Secretaries	In Progress
Continue discussions on the Pay and Grading element of the Job Evaluation Dispute.	Joint Secretaries	Ongoing
Consider referring the implementation of Circular 02/21 to the Central Committee for full discussion.	Joint Secretaries	March 2023
Respond to the Staff Side on matters around Facilities Time, following a wider CES meeting in January 2023.	Management Side	Ongoing
Provide a response to the Management Side on Scope.	Staff Side	Ongoing
Provide a response to the Staff Side on Procurement matters.	Management Side	Complete
Refer the Staff Governance Standard to the Good Governance Steering Group.	Joint Secretaries	In Progress
Provide a written response to the Staff Side's request for the adoption of a single	Management Side	Complete

Local Recognition and Procedures Agreement for the sector.		
Provide a written response to the Staff Side's requests a sector-wide review of the calculation of part-time pay.	Management Side	Complete
Provide a written response to the Staff Side around holiday rights for part-time staff.	Management Side	Complete
<b>Wednesday 25 January 2023</b>		
<b>Action</b>	<b>Owner</b>	<b>Completion Date</b>
Provide a written response to the Staff Side's on the Terms and Conditions element of its 2022/23 pay claim.	Management Side	Complete
Arrange a face to face meeting to progress Job Evaluation Stage 2.	Joint Secretaries	In progress
<b>Wednesday 15 March 2023</b>		
<b>Action</b>	<b>Owner</b>	<b>Completion Date</b>
Schedule a second pay dispute meeting following the CES and Ministerial meetings.	Joint Secretaries	Ongoing
Further discussions on the Job Evaluation dispute regarding New and Evolved Roles to continue offline.	Joint Secretaries	Ongoing
Seek to reach an agreement on Facilities Time with CES members and confirm future meetings to finalise the NRA.	Management Side	Ongoing