

## **NJNC Secretaries Referrals Protocol**

All Circulars and National Agreements contain a clause which advises that any queries or points of clarification (Referrals) should be directed to the National Joint Negotiating Committee (NJNC) Joint Secretaries in the first instance.

For Central Committee and Side Table (Lecturing) Agreements and Circulars, these would be the Staff Side Secretary and Management Side Secretary. For all matters relating solely to the Side Table (Support), this would be the Support Staff Secretary and Management Side Secretary.

Overall administrative support for NJNC Joint Secretary referrals is provided by the CES Secretariat.

Central Committee and Side Table (Lecturing) Referrals should be submitted to both the NJNC Joint Secretaries i.e. Management Side Secretary and Staff Side Secretary at the same time. Side Table (Support) Referrals should be submitted to the Management Side Secretary and Support Staff Secretary at the same time. Referrals should be sent to both Joint Secretaries simultaneously, copying in College Employers Scotland – [ces@collegeemployersscotland.ac.uk](mailto:ces@collegeemployersscotland.ac.uk) for secretarial purposes. Where only one Secretary receives a Referral, this should be forwarded to the other respective Secretary. All Referrals will be acknowledged by the CES Secretariat. Both Staff Side Secretaries should have knowledge of all outstanding Referrals.

Referrals should come from the recognised union branch(es) or authorised college management representatives only, and preferably as a joint referral. Individuals cannot make referrals. Any initial queries from staff members should be routed through their own college HR department and/or trade union, in the first instance. Referrals from trade unions and/or colleges should normally only be made after local procedures have been exhausted. Where there is a failure to deal with matters timeously at a local level either side may seek authority from Joint Secretaries to refer the matter without exhausting local procedures. Authorisation will not be unreasonably withheld.

To assist with the effective and efficient process of Referrals, any Referral should contain the following information:

- Detail on the nature of the Referral, including the Circulars and/or National Agreements that the originating party/parties believe may have been breached or require clarification.
- A summary of the processes/procedures used at a local college level that have been exhausted; including any proposed resolutions and the final positions of both sides before the “failure to agree”.
- Confirmation of whether both parties related to the Referral are aware that there has been a Referral, so the Secretaries can ascertain the views of both sides in any request for clarification.

Where a Referral is received from only one party, they will be advised the Referral will be shared with the other party. The other party will be asked for their submission and/or comments on the Referral.

Consideration of Referrals by the Secretaries will be undertaken based on the evidence submitted in relation to the relevant Circular/Agreement. The Secretaries can ask for further information from either or both parties if required. Any subsequent information received will be shared with both parties to the Referral.

The NJNC Secretaries referral outcome is binding on all parties.

**March 2025**