

**Minute of the meeting of the National Joint Negotiating Committee (NJNC) – Side Table (Lecturing) held on Thursday 21 September 2023 at 1430 hours, via Video Conference.**

<b>In Attendance</b>	
Sue Clyne	Management Side
Liz Connolly	“ “
Susan Elston	“ “
Alan Ritchie	“ “
David Watt	“ “ (Chair)
Lynn Davis	Staff Side
Donny Gluckstein	“ “
Anne-Marie Harley	“ “
Eileen Imlah	“ “
Charlie Montgomery	“ “
Garry Ross	“ “
Stuart Brown	Staff Side Joint Secretary
Jillian Cheape	Secretariat
Micheal Boyd	HR Policy Officer College Employers Scotland
Katrina Daly	Management Side Joint Secretary
Gavin Donoghue	Director of College Employers Scotland
Anne Davidson	Note Taker
Louis Martin	Zoom Administrator

**01/23 Welcome and Apologies**

The Management Side was in the Chair for this meeting. The Chair welcomed all to the meeting.

Apologies were noted from Angus Campbell and Anne Campbell, Management Side. Alan Ritchie, Management Side had to leave the meeting at 1500.

**02/23 Minute of Previous Meetings**

The minute of the meeting held on Thursday 1 June 2023 – Pay Dispute was agreed.

The minute of the meeting held on Thursday 8 June 2023 was agreed.

The minute of the meeting held on Monday 4 September 2023 – Pay Dispute was agreed.

Minute of the meeting on Monday 4 September 2023 omitted Sue Clyne in error from the list of attendees.

**03/23 Transfer to Permanency**

The Management Side outlined the current position and advised that after seeking legal advice in relation to “Justifiable Reasons”, and that the legal advice received recommended that a new circular was required.

The Management Side confirmed the circular has been shared with Staff Side and feedback is currently awaited.

The Staff Side expressed concern with regard to the re-draft and stated in its view that the changes represent a step backwards and that the additional detail around refusal was unwelcome. In its view the re-drafted circular has become more focussed on reasons to refuse requests for transfer to permanency. It expressed disappointment with the revised circular as it felt the previous version was close to being “over the line” and it considers the additional wording to be unnecessary.

The Management Side confirmed that the norm is for requests to be accepted, however, where roles are covered on a temporary basis, for example, maternity leave, there is not a post to be transferred as this could result in department becoming over established and the need for organisational change process to commence.

The Staff Side were not in agreement that the majority of requests are accepted and stated the wording does not come across as being applicable only for certain exceptional circumstances.

The Management Side confirmed that the alterations were made on the basis of legal advice received. It was agreed that further discussions would be held between the Joint Secretaries, given the Staff Side feedback, to look at the wording in the guidance and agree a way forward.

### **04/23 Pay Dispute**

The Management Side noted that there had been a joint meeting with the Minister and both Management Side and Staff Side on Wednesday 20 September 2023. The Management Side expressed that this had been a positive meeting, enabling both sides to voice concerns in relation to the current funding situation within the sector. It further noted the discussion had made clear that there was no additional funding to be made available to the sector in this year, however, on a more positive note, there was willingness expressed by the Minister to work collaboratively and in depth to bring about more stability in future within the sector via reviews and/or restructures.

The Staff Side agreed that the meeting with the Minister had been positive and were also in agreement that a joint approach was beneficial. The Staff Side sought to clarify their view that the discussion on funding was in relation to the current year specifically and a commitment was given to prioritise colleges going forward.

The Staff Side noted there had been discussion around the potential of exploring a three-year deal, its understanding from the CES representatives at the ministerial meeting was that this had already been given initial consideration and asked the Management Side to provide further information. It emphasised the need for continued pay discussions, given current position with industrial action, the outcome of the re-ballot of its members and the upcoming EIS-FELA executive meeting.

The Management Side noted the comments regarding timescales and stated that it would be willing to consider the option of a three-year deal but noted that no guarantee had been given regarding government provision of additional funding for this. In addition, it sought clarity in relation to what a revised pay claim based on a three-year deal would look like in order for the Management Side to be able to explore this proposal.

The Staff Side advised it had expected the Management Side were already in a position to provide detail on a three-year deal given it had advised this would form part of the discussions at the upcoming CES executive meeting.

The Management Side stated that there is currently an offer on the table and that there are no additional funds to allow for any movement and at that the meeting with the minister it was made clear that there is no additional funding in this year.

The Management Side advised it was willing to explore the option of revised a three-year offer as a means to potentially move negotiations forward. The Management Side acknowledged the need for urgency and agreed to look at figures for a potential three-year deal providing the same action is undertaken by the Staff Side and this would provide clarity for both sides.

The Staff Side formally requested an urgent NJNC meeting in advance of the EIS-FELA executive meeting.

The Staff Side requested an adjournment for both sides to consider the details of discussions.

### Adjournment

Following a brief adjournment, it was agreed that a meeting would be convened next week to progress discussions and provide an opportunity to explore the option of a three-year offer.

The Management Side agreed in principle to the exploration of a three-year pay deal however, this would need to be discussed with CES as the current mandate is for a two-year pay offer. It was also discussed that any potential offer for year-three would need to be shared with the Scottish Government to be considered and included in the budget setting for 2024/25.

### **Any other Business**

The Staff Side expressed its disappointment that a letter had been sent regarding Facilities Time and indemnity insurance had been sent directly to the General Secretary of the EIS and not raised as part of the NJNC process, despite their being an existing NJNC Side Table Facilities Time Agreement.

The Staff Side requested this action is not repeated and, in its view, undermines collective and national bargaining.

The Staff Side acknowledged that today represents the final scheduled meeting in which Katrina Daly will be the Management Side Joint Secretary and expressed its gratitude for her professional conduct and progress made during their working relationship. The Management Side reiterated this view and offered its thanks to Katrina.

### **05/23 Date of Next Scheduled Meeting**

The next scheduled meeting is **Thursday 15 December 2023**.

## Action Monitoring Log

<b>Thursday 17 March 2022</b>			
<b>Action</b>	<b>Owner</b>	<b>Completion Date</b>	<b>Status</b>
Continue discussions on Transfer to Permanency.	Joint Secretaries		Complete
<b>Thursday 16 June 2022</b>			
<b>Action</b>	<b>Owner</b>	<b>Completion Date</b>	
Continue discussions on Transfer to Permanency.	Joint Secretaries		Complete
Continue discussions on Draft Circular STL 01/22.	Joint Secretaries		In Progress
<b>Thursday 22 September 2022</b>			
<b>Action</b>	<b>Owner</b>	<b>Completion Date</b>	
The Staff Side to respond to the baseline figures supplied as at 8 <sup>th</sup> September 2022.	Staff Side	September 2022	Complete/Overtaken
<b>Thursday 15 December 2022</b>			
<b>Action</b>	<b>Owner</b>	<b>Completion Date</b>	
Joint Secretaries to produce and agree a guidance note to supplement the Transfer to permanency paper.	Joint Secretaries	March 2023	Complete
Continue discussions on Facilities Time.	Management Side	January 2023	Complete
<b>Thursday 30 March 2022</b>			
<b>Action</b>	<b>Owner</b>	<b>Completion Date</b>	<b>Status</b>
A response to circular 02/21 to be provided at a later date out with the meeting.	Staff Side	tbc	Ongoing
Continue discussions on multi-year pay offer.	Management Side & Staff Side	April 2023	Overtaken
Further consideration on Transfer to Permanency Paper and any changes referred back for discussion at the next Side Table (Lecturing) meeting.	Joint Secretaries	June 2023	Overtaken
Quarterly meeting schedule to be reviewed and an interim meeting to be arranged to progress urgent matters.	Joint Secretaries	April 2023	Completed
<b>Thursday 8 June 2023</b>			
<b>Action</b>	<b>Owner</b>	<b>Completion Date</b>	<b>Status</b>
Continue discussions on Transfer to Permanency and bring redrafted document for sign off at the National Joint Negotiating Committee (NJNC) Side Table (Lecturing) meeting in September 2023.	Joint Secretaries	September 2023	In progress

Provide feedback to the Joint Secretaries as to what items should be worked on jointly to bring to the Side Table meetings in the next academic year.	Joint Secretaries	September 2023	In Progress
Arrange a meeting to discuss costings in advance of ministerial meeting on Wednesday 14 June 2023	Joint Secretaries	June 2023	Complete
<b>Thursday 21 September 2023</b>			
<b>Action</b>	<b>Owner</b>	<b>Completion Date</b>	<b>Status</b>
Continue discussions on Transfer to Permanency offline and consider the feedback given.	Joint Secretaries	December 2023	Ongoing
Arrange a meeting to discuss option of a three-year pay deal.	Joint Secretaries	September 2023	Completed
Continue discussions on the pay claim and consider a three-year option.	Management Side & Staff Side	October/ November	In Progress