



Approved Minute of the meeting of the National Joint Negotiating Committee (NJNC) – Side Table (Lecturers) held on Thursday 14 December 2017 at 1000 at City of Glasgow College, City Campus, Glasgow.

In Attendance	
Charlie Montgomery	Staff Side (Chair)
Pam Currie	“ “
Jim O’Donovan	“ “
John Kelly	“ “
David Alexander	Management Side
Jillian Cheape	“ “ (Observer)
Andrew Lawson	“ “
Alex Linkston	“ “
Paul Little	“ “
Shona Struthers	“ “ (Observer)
Stuart Thompson	“ “
John Gribben	Management Side Secretary
David Belsey	Staff Side Secretary
Heather Stevenson	Depute Management Side Secretary

58/17 Welcome and Apologies

The Staff Side Chair welcomed all to the meeting. Apologies were received from Anne Keenan.

59/17 Minutes of Previous Meetings

The minutes of the NJNC meetings of Wednesday 8 November 2017 and Thursday 16 November 2017 were agreed. It was noted that the minute of the meeting held on Wednesday 29 November 2017 would be presented to the next meeting.

60/17 Matters Arising

Wednesday 8 November 2017

The Staff Side raised concerns that some promoted staff above Level 3 within the NRPA were receiving cost of living Pay Awards whilst the lecturing staff pay claim for 2017/18 was still outstanding. The Staff Side also stated that this seemed inappropriate whilst out of scope employees had not been defined.

The Management Side responded that the staff group concerned were likely to be out of scope of the National Recognition and Procedures Agreement (NRPA) and that individual colleges were clear on which staff are covered by the local Recognition and Procedures Agreement (RPA) and therefore the NRPA. The Management Side requested details of the specific case being raised.

The Staff Side advised that Glasgow Kelvin College had approved a 1.8% increase for the principal and senior management posts despite the fact that they were in the local RPA at the time of the NRPA’s signing.

The Management Side agreed that the matter would be included in a future meeting agenda. The Staff Side requested that it be included at the next meeting as they were concerned that the Pay Award had been applied albeit that all senior posts at that particular college were covered by the NRPA.

Thursday 16 November 2017

There were no matters arising from this minute.

61/17 Outstanding Matters for Negotiation

The Chair confirmed that in accordance with protocol, he was declaring the meeting to be suspended and that a formal dispute meeting was being convened.

The Staff Side confirmed that the dispute had been confirmed in writing from the Staff Side Secretary and that the Staff Side had requested that the dispute resolution process be initiated.

The Staff Side confirmed that it had rejected the employers' final offer presented at the meeting of Thursday 29 November 2017.

The Staff Side confirmed that it was seeking a much-improved offer from the employers and that there should be no conflation between pay harmonisation and a cost of living increase.

The Management Side responded that ability to pay could not be ignored and also that the cost of the pay harmonisation could not be ignored. The Management Side advised that the dispute had been discussed at the Employers' Association meeting on Monday 11 December 2017 and it was felt that the offer for 2017/18 could not be improved upon without the need for efficiencies to be delivered elsewhere. However, the Employers' Association gave the Management Side a mandate to discuss, with the Staff Side, the possibility of a multi-year deal. In view of the imminent budget announcement from the Scottish Government, the Management Side advised that it would come back with a cost-modelled, multi year offer which would be reasonable and affordable within the context of the spending review, prior to the meeting scheduled for Thursday 18 January 2018. The Management Side confirmed that it wished to present an offer which would not result in staff reductions, detriments to the learner or a return to a period of industrial action.

The Staff Side advised that the Management Side should not be surprised that a pay claim would be submitted. In addition, it noted that when the first Management Side offer was made it was presented as an 'initial' offer and that it had every right to expect a further improved offer. The Staff Side could not accept that the award should be linked to harmonisation and that it was very concerned that there will be yet further delay due to a further meeting of the Employers' Association being required. The Staff Side expressed dissatisfaction that colleges had not appeared to have bought into national bargaining and that matters were continually being delayed.

The Staff Side confirmed that they may consider a multi year deal, but that it would not consider any offer which was unconsolidated.

The Management Side advised that any offer would have to be mindful of the budget position and of support staff. The Management Side indicated that it would prefer to get greater alignment between the two groups of staff.

The Staff Side requested that the Management Side be mindful of using phrases in press releases and other communications referring to 9% pay increases. This was a separate cost of living claim and the dispute could only be resolved by satisfying the claim for 2017/18, irrespective of what was offered for 2018/19.

The Management Side confirmed that it would be coming back with further details before 18th January 2018 and asked if the Staff Side would wish an adjournment to consider what had been discussed. The Staff Side confirmed it did not require an adjournment at this stage and stated that whilst it was not ideal, it looked forward to receiving the Employers' revised offer before the next meeting on 18th January 2018.

The Staff Side noted that concerns about funding the May and November 2017 NJNC Agreements had been raised by the UHI colleges but that the Scottish Government had made additional funding available to mitigate these concerns. It also advised that no one wanted further industrial action, but it felt that the employers' messages and communications were deliberately inflammatory. Its members were facing a pay freeze and reminded the meeting about the pay award referred to earlier for senior staff in one college.

The Management Side advised there was no intention to inflame and it was acknowledged there was a joint concern for the impact on the learner. Each side is responsible for its own communications and what is written can sometimes be interpreted differently. It confirmed it was looking to negotiate a settlement and asked the Staff Side to confirm its expectations.

The Staff Side advised that the offer for 2017/18 was unacceptable and that any subsequent year offer would require to be significantly improved.

The Management Side advised that the financial position must be considered and that it would be in a better position to respond once the budget announcement was made and the level of funding confirmed.

The Staff Side chair confirmed that this meeting was the first of two dispute meetings and that in the Staff Side view, nothing had changed. The Staff Side requested specific details of the multi year deal.

The Staff Side made it clear that it would not accept any offer which was unconsolidated and it requested a meeting in the week commencing 18th December 2017 for the second dispute meeting.

The Management Side rejected this request and advised that the second dispute meeting should take place on Thursday 18 January 2018. The Staff Side reluctantly accepted this position.

The Staff Side chair ended the dispute meeting and reconvened the substantive meeting.

62/17 Ratification of May 2017 and November 2017 Agreements.

The Management Side confirmed that the Employers' Association had ratified both the May 2017 NJNC Agreement and the November 2017 NJNC Agreement.

The Staff Side requested clarification on what specifically had been ratified in relation to the May 2017 Agreement and, in light of the Management Side Secretary's notification on 20 June 2017, if it was the whole May 2017 NJNC Agreement which had been ratified.

The Management Side requested an adjournment.

Adjournment

The Management Side confirmed that the Employers' Association had ratified both the May 2017 Agreement and the November 2017 Agreement and where any elements of the November 2017 Agreement superseded the May 2017 Agreement, these had also been ratified by the Association.

The Management Side acknowledged that further work was required on terms and conditions of service and in this regard, it was recommending that a Short Life Technical Working Group be established in early 2018 to take this work forward.

The Staff Side requested a copy of the statement and an adjournment.

Adjournment

The Staff Side confirmed its acceptance of the wording and confirmed its wording as "*the Staff Side confirmed that EIS FELA would recommend that its members vote to ratify both the May 2017 Agreement and the November 2017 Agreement, and where any elements of the November 2017 Agreement supersede the May 2017 Agreement, it recommended that these are also ratified by members*". The Management Side accepted the Staff Side wording.

63/17 Implementation of 2017 Agreement

Professionalisation of Workforce

The Management Side advised that it was hoped to commence looking at this area in 2018 and to ensure that the existing groups did not overlap or confuse. The Staff Side requested that the term 'professionalism' be used and highlighted that in its view, there was no overlap between the work of the existing groups. It suggested that a meeting take place early in 2018 to make progress on this important area. This was agreed.

Core Terms and Conditions

It was agreed that this would be progressed through the Technical Working Group.

Promoted Posts

The Management Side advised that the draft Circular 04/17 had not yet been finalised between the Joint Secretaries and that the main section under discussion was in respect of the independent chair. The Management Side requested clarification on the Staff Side interpretation of an independent chair and who would be paying for this service. The Staff Side advised that it did not have a budget for this and that it should be funded either by the Scottish Government or the Employers' Association.

The Staff Side advised that they had submitted three names for consideration, Graham Morrice, former MP, John Sturrock, QC, and Dave Moxham, Deputy General Secretary, Scottish Trades Union Congress.

The Management Side advised that it had suggested using a senior officer from College Development Network.

Both sides expressed concerns over timescales, and it was agreed to expedite finalising the Circular and to get the referrals process commenced, whilst acknowledging that the funding of the independent chair was still outstanding. The Management Side indicated that they would make an approach to the Scottish Government to ascertain if funding could be continued to retain the services of John Sturrock QC for the purpose.

64/17 NJNC Communication and Protocol

The Staff Side expressed extreme concerns over the press release regarding the November 2017 Agreement which had appeared in the Herald which it felt was a complete breach of trust and protocol.

The Management Side responded that the protocol applied to both sides and the Management Side had deemed it appropriate to issue the press release at the time as both sides had agreed the wording of the Agreement.

The Staff Side clarified that it did not have an issue with the Management Side getting its message into the public domain. The problem was that the Agreement which was marked 'confidential and restricted', was issued.

Following further discussion on the issue, it was acknowledged that both sides must ensure that protocols are followed and lessons learned from this issue.

65/17 Proposed Schedule of Meetings 2018

The proposed schedule of dates was noted. The Staff Side asked that the Short Life Technical Working Group be set up as soon as possible and that its preference was that all meetings should be held in Glasgow. This was noted and venues will be confirmed subject to availability.

66/17 AOCB

The Staff Side requested an update on Shetland College UHI.

The Management Side advised that the request from Shetland College UHI to become signatories of the NRPA for lecturers only, had resulted in a tied vote and would require to be reconsidered.

The Staff Side expressed concern at what seemed to be the Employers' Association excluding a college unnecessarily.

The Management Side advised that the college was not 'excluded'. Reference was made to the definition of staff in the NRPA which refers to both lecturing and support staff. The request from Shetland College UHI may require the NRPA to be modified or changed.

The Staff Side requested what actions were being taken to expedite the approval of Shetland College's request.

The Management Side advised that it had recommended approval to the Employers' Association and that further work was required before taking it back to the Employers' Association.

The Staff Side remained concerned and asked if the NRPA could be amended to allow the request to be revisited.

The Management Side advised that it was keen to resolve the situation and that the current NRPA reflected the existing local RPAs.

The Management Side welcomed the suggestion from the Staff Side to review the NRPA but that this would also need the approval from the Support Staff Side.

The Staff Side requested a clear timeframe for resolving the issue. The Management Side advised that it would be taking it back to the next meeting of the Employers' Association.

There being no further business the meeting was closed and it was hoped that all would enjoy a good festive break.

Date of Next Meeting

The date of the next scheduled meeting was confirmed as Thursday 18 January 2018. A meeting before then was to be convened to continue the discussions.