

Agreed Minute of the Meeting of the National Joint Negotiating Committee (NJNC) – Side Table (Support), on Wednesday 13 September 2023 at 1400-1600, via Video Conference

In Attendance	
Collette Bradley	Staff Side
Chris Greenshields	“ “
Fiona Wallace	“ “
Angus Campbell	Management Side
Gail Dunn	“ “
Susan Elston	“ “
Debbie Kerr	“ “
Chris O’Neil	“ “
David Watt	“ “
John Mooney	Staff Side Joint Secretary (Chair)
Heather Stevenson	Management Side Joint Secretary
Gavin Donoghue	Director of College Employers Scotland
Anne Davidson	Note Taker
Catherine McCreath	Zoom Administrator

1/23 Welcome and Apologies

The Staff Side was in the Chair for this meeting. The Chair welcomed all to the meeting. Apologies were received from Alison MacLean and John Slaven, Staff Side and Liz Connolly and Alisdair Barron, Management Side. The Management Side introduced Gail Dunn, Finance Lead from Fife College, and Chris O’Neil, Principal from Inverness UHI.

2/23 Minutes of Previous Meetings and Any Matters Arising

The minutes of the following meetings were shared with the Staff Side Joint Secretary in line with agreed protocols, however the Staff Side Joint Secretary confirmed it has not been able to review them due to time constraints and requested that the minutes be brought to the next meeting for ratification.

- Wednesday 28 June 2023
- Friday 14 July 2023
- Friday 21 July 2023.

This was agreed by the Management Side.

3/23 Pay and Terms and Conditions Dispute

The Management Side referred to the recent meeting with ACAS which did not result in progressing the current impasse and stated its position remains unaltered as in its view the offer made is attractive and Management Side would look for the Staff Side to ballot its members. The Staff Side was disappointed that its counter proposals were not accepted and that it has consulted its members and they do not agree that it is an attractive offer.

Both Sides confirmed there was no change to their positions. The Staff Side confirmed that Industrial Action as notified would go ahead. Both sides expressed their commitment to further discussion.

4/23 Facilities Time – National Release Agreement

The Management Side provided an update on the current position on the National Release Agreement advising that good progress has been made but one section – *Section 4 – Liability* remains outstanding.

The Management Side stated it has been given legal advice which recommends that a clause covering liability is needed within the agreement to provide reassurance that employees are protected during their release times as they are not covered through normal college insurance policies. The clause should make reference to the trade union having responsibility for the individual released, and have insurance for the period of release, to cover any loss, injury and damage caused by or to the employee during the release period.

The Management Side advised its intention is to write to the General Secretaries of all trade unions to clarify the position. The Management Side further confirmed that in practical terms, Facilities Time will continue but there is a need to be clear on liability and that there is a duty of care for both sides to resolve this matter.

Both sides committed to prompt resolution on all other queries relating to the National Release Agreement.

5/23 Job Evaluation and Pay and Grading

The Staff Side noted that recent discussions had taken place on a potential way forward and that a further meeting is currently being scheduled.

The Staff Side expressed its disappointment that previous meeting dates have had to be postponed. The Management Side advised that this was due to competing priorities for both sides. The Staff Side also raised concerns that some colleges are reviewing roles and changing grades, while others are not, and this is becoming a serious issue which needs to be addressed to avoid the situation where different processes are occurring at national and local levels. Both Sides agreed that a meeting needed to be scheduled as soon as possible.

6/23 Annual Leave Carryover – Staff Side Paper

The Staff Side advised that due to a number of issues arising since the paper was submitted, it would seek to withdraw this item from the agenda.

The Management Side gave its agreement to this.

7/23 Distant Island Allowance

The Staff Side advised it is seeking information in relation to how this allowance could be applied to the sector and asked who would currently be in receipt of this allowance in other areas and what the necessary criteria is. The Staff Side expressed its view that there should be an allowance agreed nationally to agreed areas, such as currently exists in other sectors such as the NHS.

The Management Side confirmed the purpose of such an allowance is to recognise the extra costs in relation to people working and living in Island Communities. It confirmed that funding for this allowance is not provided by the Scottish Government for the sector. It confirmed there is a need to find a mechanism to provide the funding to flow from Government and discussions are ongoing between Convention of Scottish Local Authorities (COSLA) and the Scottish Government Minister in regard to this matter.

The Management Side stated this is not considered to form part of National Bargaining and is a local funding allowance issue.

The Staff Side expressed its view that this is an opportunity to work in partnership to bring additional funding to the sector.

Both Sides agreed to hold offline discussions with the UHI Network as a way forward.

8/23 UHI Shetland Joining National Bargaining

The Staff Side confirmed that UNISON wrote to the Principal of UHI Shetland to advise that UNISON members had voted in favour of UHI Shetland becoming party to National Bargaining and requested her attention to the matter. It advised that this is raised as an agenda item in order to ensure awareness and smooth transition should UHI Shetland agree to join.

The Management Side confirmed its understanding that the Principal and Board are currently considering the implications of becoming a signatory to the NRPA and that the Principal intends to meet with the Staff Side to discuss the matter.

The Staff Side enquired as to the likely timeline for UHI to become signatories.

The Management Side advised it could not give an accurate timeline at this stage but did advise that the Principal has committed to contacting the Staff Side imminently to discuss joining the NRPA and that once commitment is given, the requisite paperwork will be issued.

9/23 Information Sharing

The Staff Side stated its view that the information it has requested is pertinent to national bargaining and its view that the refusal by the Management Side to provide the detailed information requested, fails to recognise the recommendations of the lessons learned report.

The Management Side stated its view that the information requested was either information outside the terms of the Side Table (Support) remit, or, related to local college information and, as such, was not held at a national level and so could not be provided.

The Management Side restated its position that it largely accepted the findings of the Lessons Learned report and are keen to appoint an independent chair. It emphasised it does not have the details on individual college budgets and confirmed its continued commitment to provide the information relevant to discussions.

The Staff Side was not happy with this response as they could not see how any bargaining could properly operate without the requisite information being provided and advised it will advise its intended course of action in seeking additional information, in due course.

10/23 Terms and Conditions Working Group Update

The Management Side confirmed the group has not met since the last scheduled NJNC – Side Table (Support) meeting in June 2023 as it has not been possible to get a date agreed with Staff Side due to diary availability.

The Staff Side raised a series of concerns about the failure of items in the working group to progress including the Miscellaneous Leave subgroup, Health & Wellbeing subgroup Mental Health subgroup, Home Working subgroup all failing to be set up. Further to this, there had been no response to the Consultation Paper, and it was suggested that items could be moved to this table to resolve the issues that the Terms and Conditions group had been facing.

The Management Side advised that dates are currently being offered in an effort to schedule a meeting for the Terms and Conditions Working Group where it was agreed at the last working group meeting, the remits of the subgroups would be discussed before the groups have a first meeting.

11/23 Date of Next Scheduled Meeting

The next meeting is currently scheduled for **Wednesday 6 December 2023**, although it was agreed to look at an earlier meeting to discuss Pay and other matters of priority.

Action Monitoring Log

Wednesday 8 December 2021		
Action	Owner	Status/ Anticipated/ Completion Date

Continue discussions on Job Evaluation Post 2018 Roles.	Joint Secretaries	In Progress
Wednesday 9 March 2022		
Action	Owner	Status/ Anticipated/ Completion Date
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	Complete – now Central Committee matter
Wednesday 2 November 2022		
Action	Owner	Status/ Anticipated/ Completion Date
Continue discussions on Facilities Time.	Joint Secretaries	In Progress
Wednesday 7 December 2022		
Action	Owner	Status/ Anticipated/ Completion Date
Re-share Scottish Government guidance on the £400 payment to teachers with the Staff Side.	Management Side	Complete
Continue discussions on Long Covid.	Joint Secretaries	Complete – now Central Committee matter
Continue discussions on the Pay and Grading element of the Job Evaluation Dispute.	Joint Secretaries	In Progress
Consider referring the implementation of Circular 02/21 to the Central Committee for full discussion.	Joint Secretaries	Outstanding – request made to Staff Side Secretaries
Respond to the Staff Side on matters around Facilities Time, following a wider CES meeting in January 2023.	Management Side	Complete
Provide a response to the Management Side on Scope.	Staff Side	Outstanding
Refer the Staff Governance Standard to the Good Governance Steering Group.	Joint Secretaries	Complete
Wednesday 25 January 2023		
Action	Owner	Status/ Anticipated/ Completion Date
Arrange a face to face meeting to progress Job Evaluation Stage 2.	Joint Secretaries	Complete
Wednesday 15 March 2023		
Action	Owner	Status/ Anticipated/ Completion Date
Schedule a second pay dispute meeting following the CES and Ministerial meetings.	Joint Secretaries	Complete
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	In Progress

Wednesday 28 June 2023		
Action	Owner	Status/ Anticipated/ Completion Date
Retain and incorporate the wording from both sides in the unagreed minute of Wednesday 7 December 2022 to reflect both positions.	Joint Secretaries	Complete
Develop a format for action points to be created and immediately agreed after each meeting.	Joint Secretaries	Complete
Provide documents/evidence gathered on the local issues regarding job losses to the Joint Secretaries.	Staff Side	Outstanding
Formally respond to the Staff Side paper on Fire and Rehire/Dismiss and Re-engage.	Management Side	Complete
Forward compliance issues to the Joint Secretaries to allow for an assessment of the situation's scope.	Staff Side	Outstanding
Schedule a meeting on Lessons Learned	Joint Secretaries	Complete
Schedule a meeting to focus on Job Evaluation matters.	Joint Secretaries	Complete
Wednesday 13 September 2023		
Action	Owner	Status/ Anticipated/ Completion Date
Present the minutes of the meetings held on Wednesday 28 June 2023; Thursday 17 July 2023; and Monday 21 July 2023 to the next scheduled meeting.	Joint Secretaries	December 2023
Schedule a meeting on Job Evaluation and Pay and Grading.	Joint Secretaries	Ongoing
Hold offline discussions with the UHI Network regarding distant island allowance.	Management Side/Staff Side	Ongoing