

Agreed Minute of the Meeting of the National Joint Negotiating Committee (NJNC) – Side Table (Support), on Monday 27 November 2023 at 1000 hours, via Video Conference

In Attendance	
Angus Campbell	Management Side (Chair)
Susan Elston	“ “
Debbie Kerr	“ “
Chris O’Neil	“ “
Alan Ritchie	“ “
Collette Bradley	Staff Side
Martin Clark	“ “
Chris Greenshields	“ “
Alison MacLean	“ “
Audrey Manning	“ “
Heather Stevenson	Management Side Joint Secretary
John Mooney	Staff Side Joint Secretary
Jillian Cheape	Secretariat
Catherine McCreath	Note Taker

Welcome and Apologies

The Management Side was in the Chair for this meeting. Apologies were noted from John Slaven, Staff Side. There were no apologies from the Management Side.

Pay and Terms and Conditions Claim 2022-23

The Management Side invited the Staff Side to respond to the employers offer. The Staff Side advised it was awaiting a response from the Management Side on points of clarification raised at the previous meeting.

The Staff Side also requested an update on the status of its revised pay claim it had tabled at the previous meeting and stated it was open to discuss its request for a no compulsory redundancy clause. It acknowledged receipt of costings from the Management Side but expressed that in its view, the information supplied was not sufficient for the purposes of meaningful collective bargaining on a national basis and due to the linkage to job losses issued in conjunction with the pay offer. The Staff Side also indicated that they had made repeated requests for this information to be shared as in its view, the dispute cannot be resolved without it. There was insufficient detail regarding funding gaps and the impact of the pay offer on job losses.

The Management Side advised that a College Employers Scotland (CES) Executive Group meeting took place last week where the pay offer and claim were discussed in full. It stated that the sector has reached the limit in terms of the pay offer and reiterated its stance on compulsory redundancies as a last resort.

The Management Side advised that following points of clarification raised by the Staff Side at the previous meeting, it was tabling a full and final offer and requested the Staff Side take it to its respective memberships for consideration. It advised that the monetary value of the offer remains unchanged.

However, the wording included in year three – *subject to discussions with the Scottish Government regarding funding* – has been removed. The Management Side reiterated it is unable to provide a

guarantee of no compulsory redundancies, however, affirmed its commitment to ensuring that compulsory redundancies would only be considered as a last resort and included revised wording on Job Security within the offer.

The Staff Side questioned the removal of wording related to Scottish Government discussions and sought clarification on the affordability of the pay offer without this element and whether the Scottish Government has made any funding available.

The Management Side confirmed that the Scottish Government has not allocated any extra funding, and the current stance from the Scottish Government reaffirms the absence of additional funding availability. It further clarified that the removal of the specific wording was intended to underline the offer's definitive nature and that the offer stands independent of discussions.

The Staff Side sought clarification from the Management Side regarding the possibility of planning no compulsory redundancies within the sector up to the third year of the pay offer. Additionally, it stated that the Management Side was previously unable to provide an offer last year until after Christmas due to uncertainties regarding sector funding and questioned the Management Side that circumstances have prompted this change.

The Management Side stated that CES has carefully considered the Staff Side's perspectives and made a decision to table a full and final offer. It reaffirmed that any potential compulsory redundancies would not be directly linked to the Pay Award, however, noted the sector's potential need for savings, emphasising that colleges would explore all other alternatives before considering compulsory redundancies.

The Staff Side queried the wording included in job security and if the employers failed to receive the funding it had requested from the Scottish Government to pay for the three-year deal then would this meet the criteria for compulsory redundancies – as not directly related to the pay offer. It also asked how the employers would fund the offer if no funding was received from the Scottish Government. The Management Side advised that following discussion at the CES Executive Group it was prepared to take that risk.

The Staff Side expressed disappointment with the Management Side's presentation of a full and final offer without engaging in negotiations at today's meeting. It reiterated concerns about trust regarding compulsory redundancies and voluntary severances within colleges. The Staff Side also expressed apprehensions about the effectiveness of existing consultation policies, stating its view that there is insufficiency in the current framework.

The Management Side emphasised local policies are in place as well as approaches to consultation. It stressed the urgency of resolving the pay dispute due to the financial hardships faced by staff.

The Staff Side challenged the existence of local policies and advised the Management Side that there are disputes throughout the sector on failures to consult including colleges with employer representatives in attendance at today's meeting.

The Staff Side stated it had previously requested that the pay offer is decoupled, however, this request was rejected. The Staff Side requested an adjournment to consider the points raised.

Adjournment

Following a lengthy adjournment, the Staff Side's view was there was a lack of clarity regarding the background and supporting details behind the pay offer and attributed this lack of clarity to ineffective discussions during the process and felt it was a mistake for the Management Side to present a full and final offer.

It expressed disappointment over its requests for a guarantee against compulsory redundancies and an increase in the financial aspect of the offer, which it felt has been ignored by the Management Side.

The Staff Side stated that it was difficult to take a favourable view of the offer in these circumstances. The Staff Side stated that the UNISON ballot closes on Monday 4 December 2023, and that there would be a potential industrial action in 2024 if matters remained unchanged. It felt the final offer should be withdrawn as it in view no meaningful negotiation has taken place.

The Management Side confirmed that as a sector, the monetary value is as far as it can go and, as previously advised, everything will be done to avoid compulsory redundancies and they would not be related directly to this Pay Award.

The Management Side repeated its request to the Staff Side to take the full and final offer to all three trade unions members and requested confirmation of its position on this request.

The Staff Side advised that the support staff trade unions would consult members in its own way. It also stated that it had concerns on the consultation process for employers as it has received comments from some college leaders that they had not been advised of the trade unions counter proposals in the summer. The Staff Side requested an expected timeframe for a response to the offer and whether the Management Side intended to inform other trade unions and the sector of the outcome of this meeting.

The Management Side stated its commitment to providing an update to the sector after each NJNC meeting. It advised it was looking to obtain a response within a reasonable timeframe, acknowledging the need for the Staff Side to consult its members.

The Staff Side asked whether the other half of the sector had received a full and final offer.

The Management Side stated it was not a matter for this table.

The Staff Side disagreed and stated that any spend in negotiations for one half of the sector invariably affects the other half.

The Management Side stated it could not delve into specifics but highlighted the sector's commitment to maintaining a consistent approach across all bargaining groups.

Date of Next Schedule Meeting

The next scheduled NJNC – Side Table (Support) meeting is **Wednesday 6 December 2023**.