



Approved Minute of the Meeting of the National Joint Negotiating Committee (NJNC) – Side Table (Support), on Wednesday 20 March 2019 at 1300 at Colleges Scotland, Argyll Court, Stirling.

In Attendance	
Margaret Cook	Management Side
Debbie Kerr	“ “
Alex Linkston	Management Side (Chair)
Graeme Stephen	“ “
Jillian Cheape	“ “
Collette Bradley	Staff Side
Martin Clark	“ “
Chris Greenshields	“ “
Alison Maclean	“ “
Audrey Manning	“ “
Nick Steff	“ “
John Gribben	Management Side Secretary
John Gallacher	Staff Side Secretary

41/19 Welcome and Apologies

The Management Side was in the Chair for this meeting. The Chair welcomed all to the meeting. There were apologies received from Cal Waterson from the Staff Side and David Alexander, Stuart Thompson and Heather Stevenson from the Management Side.

42/19 Minutes of Previous Meeting

The minute of the meeting held on Wednesday 12 December 2018 was agreed as a correct record.

43/19 Matters Arising and Any Other Exceptional Items

Circular 05/18

The Staff Side commented that they believed some colleges had not applied Circular 05/18 in full and this was unacceptable.

Equality Impact Assessment (EIA)

It was noted that the initial draft had just been received from Thornton’s Solicitors and once finalised, will be presented to the Employers’ Association and the NJNC when complete.

College Development Network (CDN) Update

The Staff Side stated that they had prepared a submission, noting it had not been shared. This paper would be presented in advance of any rescheduled meeting with the CDN to take forward matters outstanding from the Support Staff Pay Agreement.

44/19 National Agreement – Circular 05/18

The Staff Side sought an amendment to the Support Staff Pay and Terms and Conditions Agreement 2018-20 to state that Saturday working (in addition to Sunday working) is included in the national definition to trigger unsocial hours payments.

The Management Side advised that having taken soundings from members, they are not minded to amend the Agreement.

There was a lack of available data to confirm the current cost exposure to any Saturday enhancements and the issue would need to be examined via the Support Staff Terms and Conditions Working Group or considered as part of the next pay claim period. The Staff Side stated that they felt that the current position was disadvantageous to predominantly female part-time workers only working on a Saturday. The Staff Side requested this be discussed further at the Support Staff Terms and Conditions Working Group. The Management Side agreed to this but requested the Staff Side evidenced their position with costings and implications having to be understood noting that the current data available on this was not robust.

45/19 Support Staff Terms and Conditions Working Group Update

The Action Notes for the meetings of Wednesday 12 December 2018, Wednesday 23 January 2019 and Monday 11 February 2019 were approved.

The Staff Side stated that the working group had met several times and that whilst the group was close to agreement on some areas, several areas remain outstanding. The following areas were specifically noted:

Annual Leave Policy

The Staff Side wished to allow for more than five leave days to be carried forward in exceptional circumstances. The Staff Side also did not accept a universal reference to an embargo of annual leave at specific dates/times. Finally, reference to the treatment of sickness during an annual leave period remains to be agreed.

The Management Side stated that these matters need to continue to be discussed at the working group and that they had hoped to receive formal feedback from the Staff Side in relation to these matters.

National Workforce/Organisational Workforce Change Policy

The Staff Side stated that progress on this was of utmost importance to the Staff Side and that so far, the group had not managed to get high level principles over the line. Considerations for compulsory redundancies need to be front and centre of discussions and there needs to be a national procedure developed in conjunction with the policy. The Management Side reminded the Staff Side they will negotiate on policy not procedure.

The Management Side stated that the working group had further work to do. The sector had to make three percent efficiency savings every year. The Staff Side contended that they do fully understand the financial position and that they have not been invited to enter a strategic conversation with the sector alongside management to discuss the financial position. There is an urgent need to address this jointly.

The Management Side stated that putting more money in is not always the solution. The Staff Side stated they do not have a tripartite strategic forum with the Scottish Government and the Scottish Funding Council. The Management Side considered that the forthcoming Employers' Association residential event of Wednesday 8 and Thursday 9 May 2019 was an opportunity to take something from the Staff Side to the employers for consideration. If this was to happen however, the Management Side would need to be advised well in advance.

National Agreement Terms and Conditions

The Staff Side stated their position that there must be a national pay and grading structure for there to be fair pay across the sector. The Management Side stated that the content of the terms and conditions document represents a snapshot in time and would need to be changed as negotiations and agreements develop. The wording relating to pay and grading replicates the commitments from the 2015/16 Support Staff Pay Agreement and this would change subject to subsequent National Agreements. The Staff Side stated that such an important 'red line' for them requires to be

addressed alongside considerations of the NRPA scope and 'no detriment' before progress can be made.

The Staff Side stated that their patience is tried and while they do not want to pull the plug on the associated process of job evaluation, they could not wait until the end of job evaluation for pay structure considerations and these needs to run in parallel to the job evaluation process. The Staff Side asked when the Employers' Association would be giving an answer. The Staff Side stated that their participation in job evaluation is a leap of faith and the outstanding issues will become significant with difficult decisions on continuing participation could arise.

The Staff Side stated that the £12million funding for the outcomes of job evaluation were to ensure fair and equal pay otherwise job evaluation is a waste of time.

The Management Side stated that a full discussion on pay and grading will take place at forthcoming Employers' Association meeting. The Management Side re-iterated that equal pay is a matter for local colleges. The resolution to these outstanding matters needed to be dealt with in a structured way.

The Staff Side asked that the Employers' Association provide statements of principles in relation to the key areas of:

- pay and grading
- NRPA scope
- "no detriment".

The Management Side advised that will raise these at the next Employers' Association meeting but that they cannot predict what the Employers' Association may decide. In addition, the Management Side stated responses on the trade union points had previously been provided and that it needs to be recognised that robust data will be required to consider pay and grading matters and that they could not sign up to anything with unknown costs. The employers acutely understand the trade union position.

The Management Side asked the Staff Side to provide evidence of the preceding First Ministers position that salary harmonisation for college support staff was promised as an integral part of National Bargaining.

It was agreed for the working group to continue to meet and report back at the next side table meeting.

46/19 Job Evaluation

The Action Note of the working group meeting held on Tuesday 4 December 2018 was agreed. The action note of the meeting held on Wednesday 23 January 2019 has not yet been agreed at the working group and would therefore be presented for the next meeting.

The Management Side provided an update on the NJNC National Role Evaluation Process which is due to be launched week commencing Monday 25 March 2019 for signatory colleges to the NRPA. A joint NJNC email communication will be issued to formally launch the process. The Management Side stated that there were a lot of unanswered questions remaining for the implementation of job evaluation, but good joint working had progressed matters to this point. The Staff Side recognised that this was a major project with a huge amount of work to do. The Staff Side questioned whether the sector was behind this process and welcoming of it, however they noted that the process is now "green for go". The staff side quoted a previous First Ministers stated commitment to salary harmonisation for college support staff. The management side stated that job evaluation is not pay harmonisation and requested the staff side provide evidence of this statement.

47/19 NRPA

The trade unions again set out their aspiration for every college and every employee to be included in the National Recognition and Procedures Agreement (NRPA).

The Staff Side requested a decision to be made by the Employers' Association about who is in scope and a response provided to the staff side. The Management Side re-iterated that any proposals from the Staff Side would be welcome.

The Staff Side was advised this matter remains under consideration by the Employers' Association and an update will be provided following the Employers' Association in May 2019.

48/19 Living Wage Accreditation

A discussion took place following UNISON's media release on International Woman's Day naming four Living Wage Accredited colleges that had not yet ensured that their low paid workers were being paid the living wage.

The Staff Side was informed that the Living Wage Foundation had confirmed that all four colleges are accredited.

The Staff Side advised the sector was in serious jeopardy of turning a good news story into a bad news story. The Management Side expressed disappointment at the staff side's approach to the matter.

49/19 AOCB

The Staff Side requested an update on those colleges currently out of scope of the NRPA coming into scope. The Management Side advised that the Scottish Funding Council is actively engaging with colleges to encourage the signature of the NRPA.

Date of Next Meeting

The date of the next meeting is scheduled date is Wednesday 12 June 2019 however, it was noted that this is also the College Development Network Expo event.