

Draft Minute of the Meeting of the National Joint Negotiating Committee (NJNC) – Side Table (Support), on Wednesday 10 June 2020 at 1000- 1200, via video conference

In Attendance	
Collette Bradley	Staff Side
Martin Clark	“ “
Chris Greenshields	“ “ (Chair)
Alison Maclean	“ “
Audrey Manning	“ “
John Slaven	“ “
Nick Steff	“ “
David Alexander	Management Side
Gary Bisset	“ “
Jillian Cheape	“ “
Margaret Cook	“ “
Debbie Kerr	“ “
Alex Linkston	“ “
Ross Martin	“ “
Michael Youd	“ “
John Gallacher	Staff Side Secretary
Heather Stevenson	Management Side Secretary

01/20 Welcome and Apologies

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

02/20 Minutes of Previous Meeting

The minute of the meeting held on Wednesday 4 December 2019 was agreed.

The action note of the non-quorate meeting on Wednesday 18 March 2020 was agreed.

03/20 Matters Arising and Any Other Exceptional Items

Implementation of Circular 05/18

The Staff Side repeated its request that arrangements be put in place to ensure Agreements are implemented by all National Recognition and Procedures Agreement (NRPA) signatory colleges. The Staff Side advised it was concerned with the manner in which temporary staff contracts were being handled.

The Management Side advised that its position remains as advised at the previous meeting.

The Staff Side requested that their concerns were noted as it believes that central monitoring is required to ensure compliance.

Equality Impact Assessment (EIA)

The Staff Side advised UNISON's lawyer had completed the review of the Equality Impact Assessment (EIA) on the Support Staff Pay and Terms and Conditions Agreement 2018/20. Its view was that it was a favourable report, however, highlighted that there was still a gender pay gap. It hoped that the analytical job evaluation scheme would lead to a pay and grading structure to address the gender pay gap.

The Management Side requested that the Staff Side confirm its position in writing. This was agreed.

Living Wage Accreditation

The Staff Side raised concerns that two colleges are currently not paying contractors the Living Wage. The Management Side restated its previous position that discussions had taken place with the two colleges concerned and that these colleges are accredited and reaching the milestones put in place by the Poverty Alliance.

The Staff Side enquired as to whether there was a deadline for this to happen and the Management Side advised that the timescales are dependent on the nature of the contracts in place and the steer comes from the Poverty Alliance.

Tripartite Meeting

It was acknowledged that this meeting had not taken place and agreed that this has now been taken over by recent events.

First Aid Payments

The Staff Side queried the status of discussions with two colleges regarding first aid payments. The Management Side advised that they had contacted the colleges concerned but that the matters may have been resolved. It was agreed the Staff Side would confirm whether the issues were still to be addressed.

Exceptional Item – Redundancies

The Staff Side raised the issue of possible redundancies at a specific college, as an exceptional item. This was a result of the retender of a catering contract.

The Staff Side advised it was still awaiting a letter from the Minister outlining the Scottish Government's position on compulsory redundancy.

The Management Side advised that it was not aware of the circumstances and as this is a local college issue then it cannot comment on this matter.

04/20 Financial Challenges Facing the Sector

The Management Side advised that this item was to update the Staff Side on the challenges facing the sector. The Management Side referred to the information paper which included a briefing note by the Scottish Funding Council (SFC) to the sector, and references the initial impact assessment of COVID-19, the already challenging pre-pandemic financial position of the sector and the need for SFC to support the generation of more accurate forecasts.

The Staff Side was advised that the college sector is facing a substantial deficit position for Academic Year 2019/20 and 2020/21 and mitigating strategies are required to be developed to offset costs.

The Staff Side acknowledged the financial pressures facing the sector and raised concerns. The Staff Side reminded the employers that it had previously offered to work jointly with the employers to create a strategic forum at a Scottish level and was happy to do so again

The Management Side advised it would reflect on the Staff Sides comments.

The Staff Side requested to be kept updated on developing situations. This was agreed by the Management Side.

05/20 COVID-19

Circular STS 02/20 – COVID-19 Annual Leave (Support Staff)

This circular was presented for noting and was agreed.

Circular STS 03/20 – Guidance on the Use of Coronavirus Job Retention Scheme in the College Sector (Support Staff)

This circular was presented for noting and was agreed. The Side Table was in agreement that the work on this matter was representative of good partnership working between both sides.

Fair Work – Phase 2/3 Planning

The Staff Side advised that a writing group had been established by the Scottish Government to prepare guidance for the Further Education sector on returning to work. The Staff Side has been invited to participate in this group.

The Staff Side raised concerns, having been made aware that some colleges have had staff onsite during this time and queried what Health and Safety Risk Assessments had been put in place.

The Management Side advised that employers were adhering to current government guidelines around being onsite for essential work only and its view that there is a clear distinction between essential work and essential workers.

The Staff Side suggested that discussions need to take place in partnership regarding the process for getting the college sector back functioning.

The Management Side advised the Scottish Government is coordinating the process to ensure the sector returns to work in a controlled way and the writing group is a starting point for this.

Following this discussion, the Staff Side presented its paper which was a preliminary survey regarding Fair Work which was prepared to discuss with Further Education Minister, Richard Lochhead. The Staff Side had concerns on how colleges are engaging locally with trade unions.

The Management Side agreed to provide a response to the paper, advising that the report would be brought to the attention of the HR Strategic Group and that any specific issues should be dealt with at individual college level.

06/20 1st April 2020 Pay Rise

The Staff Side reiterated its concerns that in its view the 2020 elements of 1st April pay rise is being mis-applied and that this has resulted in staff being underpaid. The Staff Side stated the five month deal should be the same as the previous 12 months and be paid over the five month period and informed it would be forced to register a 'Failure to Agree' if the Side Table is unable reach agreement on how this element has been applied in payroll.

The Management Side advised that its position is as set out in an email to the Staff Side Secretary on 11th May 2020 which is £300 or 5/12ths to be applied on all salary points from 1st April 2020 on a consolidated basis, the Agreement does not mention paying over five months. It confirmed that colleges have applied the award in the same way as which costings were done.

07/20 Response to Facilities Time Request

The Management Side issued a formal response to the Staff Side paper regarding Facilities Time for UNISON representatives

Following receipt of the paper, the Staff Side issued a response to the Management Side the evening before the meeting. The Management Side advised that due to the lateness of receiving the comments that a response could not be provided, and suggested discussions take place at the Facilities Time Working Group scheduled to take place on Tuesday 30 June 2020.

The Staff Side advised it was not aware of the scheduled Facilities Time Working Group due to a communication issue and offered to continue discussions offline to address any concerns.

The Management Side stated that in its view the structure that has been established by the creation of the National Branch required work and may actually delay matters that could have been resolved locally. The Staff Side disagreed with this and believed the opposite to be the case.

Both sides agreed to continue discussions out with the meeting.

Unite and GMB commented that they are supportive of UNISON's proposal. Unite and GMB also advised they have concerns around the current facilities time arrangements.

08/20 2020/21 Pay Claim

The Staff Side submitted its 2020/21 Pay and Conditions Claim for Support Staff late on the evening before the meeting. The Staff Side advised it is a claim is for £1100 flat cash as well as a package that includes a four day working week, an increase to current annual leave entitlement, mental health provision, first aid, a green policy, unsocial hours payments, paid breaks and a suite of further terms and conditions to ensure a more harmonised approach.

The Management Side advised, that due to the lateness of the paper being received, it was unable to provide a response as the claim would require to be fully costed which would require a significant amount of work and then be verified by SFC before any response can be provided. .

The Staff Side offered to be involved in further discussions to help move this work forward.

09/20 Terms and Conditions Working Group

Action Note of Wednesday 4 December 2019

The action note of Wednesday 4 December 2019 was agreed.

Annual Leave Policy

The Management Side issued a paper setting out the Employers' Association position on an Annual Leave Policy. It was agreed to continue this discussion at the next meeting of the Terms and Conditions Working Group with dates to be issued to the Staff Side for consideration.

Organisational Change

This item was not discussed due to meeting running over.

Flexitime

This item was not discussed due to meeting running over.

10/20 Stress

This item was not discussed due to meeting running over.

11/20 Scope

This item was not discussed due to meeting running over.

12/20 Job Evaluation Working Group

This item was not discussed due to meeting running over.

13/20 Date of Next Meeting

The Management Side advised that an indicative schedule for Academic Year 2020/21 would be shared in due course.

Action Monitoring Log

Wednesday 4 December 2019		
Action	Owner	Completion Date
Circular 05/18 – Staff Side to share results from FOI request on Permanency.	Staff Side	February 2020 – Outstanding
EIA – Staff Side to move forward on progress update on EIA.	Staff Side	February 2020 – Outstanding
Stress – Management Side to consider Paper 6, consult with colleges and provide a response at next meeting.	Management Side	Outstanding – on agenda at June 2020 meeting – matter not discussed due to timing.
Wednesday 18 March 2020 (non quorate meeting)		
Action	Owner	Completion Date
Further discussion required on outstanding Job Evaluation Working Group papers.	JE Project Leads	Complete
Joint comms to be issued to colleges and members to provide reassurance that progress is being made and timelines	JE Project Leads	June 2020
Wednesday 10 June 2020		
Action	Owner	Completion Date
First Aid Payments – outstanding queries to be confirmed by the Staff Side.	Staff Side	July 2020
Staff Side to provide in writing its position on the EIA.	Staff Side	Complete
Share Fair Work Survey with HR Strategic Group.	Management Side	Summer 2020
Management Side to provide a response to the Fair Work Survey.	Management Side	Ahead of next scheduled meeting.
Discussions to continue regarding UNISON's Facilities Time request.	Management and Staff Side	June/July 2020
Pay Claim – full costings to prepared and then verified by SFC prior to the commencement of negotiations.	Management Side	June/July 2020
Annual Leave Policy to be discussed at Terms and Conditions Working Group	Joint Secretaries	July/August 2020