

# HUMAN RESOURCES

## Resources and General Purposes Committee – 19 November 2018

### Item 6.1 NCL Organisational Development Update

#### 1 Employment Tribunal Update

This remains unresolved. The number of cases that still remain within the tribunal system and subject to ongoing discussion mean that it may be some time before we reach the end of this process. However, the College and our employment lawyers have discussed potential means by which the claims may be resolved and our solicitors have are requesting some further detail from the claimants' advisers that would allow a potential resolution to progress.

#### 2 Living Wage Accreditation

Since merger in 2013, NCL has been paying the Living Wage to all directly employed staff although the Board in place at that time chose not to pursue formal accreditation via the Poverty Alliance. Since that time, formal accreditation of colleges as Living Wage Employers was subsequently agreed as a requirement of national pay negotiations.

Previously, NCL was advised that we could not become a Living Wage employer due to a College-contractor relationship where the contractor did not pay Living Wage rates to their employees. The only solution proposed at that time was that the College would need to use public funds to underwrite a multinational private company, which was rejected by the College. However, I am pleased to confirm that this has been resolved due to ongoing discussion with the Poverty Alliance and the contractor and all staff employed by the contractor at our sites who do not currently receive the Living Wage will do so from 1 December 2018.

Progress has also been made with AMCOL and we expect to be able to resolve their position as a Living Wage Employer very soon.

**This information for Board members' information only and is embargoed for publication until 1 December 2018 (unless further advised), to enable the contractor concerned and AMCOL to undertake necessary discussions and communication with their staff.**

#### 3 Employers' Association Update

##### *Support Staff*

An agreement between both sides of the NJNC was reached in October, following a ballot of the membership of the three recognised Support Trade Unions (who all issued a recommendation to accept to their members). This puts in place a 2½ year pay settlement to cover the period 1 April 2018 to 1 September 2020, at which time the pay settlement date will move from 1 April to 1 September each year.

The pay element of the arrangement will see Support Staff earning less than £36,500 receive a pay award of 3% and those earning more than £36,500 receiving 2%. There is a minimum payment of £650

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per FTE and a cap of £1,600 per FTE for anyone earning more than £80,000 and who is subject to the National Recognition and Procedure Agreement.

The pay element of the settlement is being paid in November. Within the agreement, there are also a range of allowances that have now been standardised across the sector. This includes first aid payments, shift allowances and call out payments. The College has some queries regarding how these payments will apply to our staff and has sought clarification from the national joint secretaries. Payment in relation to these aspects will be paid as soon as clarification is received.

## *Teaching Staff*

For some time, the EIS has been in dispute at a national level regarding pay. This situation has not been resolved. The EIS undertook an indicative ballot of members (with a recommendation to reject) in relation to the final offer proposed by management and the level of support for strike action, with most members rejecting the offer made. Following the ballot, the EIS submitted an alternative offer, which was not accepted by management.

I understand that the EIS now intends to undertake a statutory ballot for industrial action and I will provide further updates as information becomes available.

## **4 Remuneration Committee**

As the salaries of the senior management team at New College Lanarkshire are not subject to national bargaining and remain the responsibility of the Board of Management via the Remuneration Committee, a meeting of that committee has been arranged for 3 December 2018 to consider any pay award to be applicable to the members of the senior management team from 1 April 2018. This covers the roles of Principal, Vice Principal and Assistant Principal.

## **5 Local Union Representation**

As members may be aware, New College Lanarkshire recognises both UNISON and UNITE in relation to representation for our support staff, which reflects pre-merger arrangements and historical patterns of membership. However, UNITE have been without a local representative for some time.

I am pleased to confirm that we now have a UNITE local representative in place and we have also agreed with UNITE that the College will support a depute workplace representative, to maximise the opportunity for UNITE members to have a means of contributing to management and trade union discussions.

The College continues to support both trade unions and it is for staff to consider whether to be a member of a trade union or not and if so, whether they wish to join UNISON or UNITE. The College provides the same support to both.

## **6 Local Dispute at NCL**

Members will be aware that the dispute lodged by the local EIS Branch before the summer in relation to the arrangements for timetabling staff for 23 hours per week to meet the new national agreement was not upheld by the delegated members of the Resources and General Purposes Committee.

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However, the College received a second notification of dispute from the local EIS Branch on 12 October 2018 relating to the College's clarification of the contractual provisions in the lecturer contract relating to professional flexibility. This is an arrangement that, subject to the requirement of the College, permits lecturers to undertake work at a location other than the College.

No disputes meeting has yet taken place, as discussion has been taking place on the issue directly between the College's Assistant Principal: Organisational Development and the EIS Area Officer. However, the Area Officer has confirmed the union's desire to progress to a formal disputes meeting and this will be arranged over the next few weeks.

## 7 Policy Development

### *Absence Management Policy*

Discussion has taken place with our trade union representatives on finalising the revised absence management policy, as there was a need to revisit elements of the proposed draft due to the passage of time since it was first circulated. Two positive meetings have taken place with the trade unions and I believe that policy will be finalised very soon.

As part of our discussions around absence and wellbeing, UNISON and UNITE have asked that the College supports stress risk assessments for a number of support areas in the College where they perceive that there are particular issues around workload or other factors. The College has agreed to this and discussions are in progress with the trade unions to finalise arrangements for this work using the HSE Management Standards Indicator Tool.

### *Recognition and Procedure Agreement*

For some time, we have been aware of the need to revise our local RPA, which is the document that sets out our relationship with recognised trade unions and the matters that are subject to local negotiation and consultation. While a national RPA is in place that addresses most matters that were previously negotiated locally, setting our local communication and consultation arrangements on a more up-to-date footing is also required.

A draft NCL recognition and procedure agreement has now been circulated to our trade union colleagues and the relevant full-time officials and we will be having formal meetings before the end of the year with our local representatives to consult on the document. I will update the Committee as discussions progress.

Should any member wish to have a copy of the full draft RPA at this stage, this can be provided.

## 8 Equality and Diversity

The first meeting of our relaunched Equality and Diversity Group took place at the beginning of November and was attended by a cross college section of staff. Chaired by our Equality and Diversity Adviser supported by two co-Chairs, this group will play a key role in consulting on equality and diversity matters and contributing to ongoing progress in this area. The group includes trade union representation and includes the local EIS Equality and Diversity Representative.

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We are required to publish our two yearly Equality Mainstreaming Report in April 2019 and we are already considering the content and format of this. Our Equality and Diversity Adviser has attended a workshop with AdvanceHE (formerly the Equality Challenge Unit) and a further workshop is planned in the New Year. We intend that our draft report will be available in February for publication in April 2019.

The College has purchased an online Equality and Diversity module as part of a suite of e-learning modules and this is currently being reviewed by the Equality and Diversity Adviser prior to roll out of all staff. We will also be providing face-to-face training sessions in January 2019 and will be including sessions on LGBTI awareness, religion and belief and unconscious bias training.

## 9 Communications Survey

During September and October, the College ran a communications survey under the remit of the Communications Sub Group of the Partnership Forum. The aim of this survey was to inform the group's work by enabling staff to highlight what worked and what did not work in relation to communication. The response was high compared with other staff surveys, but still represented a relatively small proportion of the overall staff population. However, responses were received from most areas across the College with an appropriate balance between teaching and support staff.

Key themes included the use of meetings as a means of communication, in relation to frequency and effectiveness of meetings and the nature of discussion. Comments were also made regarding the use of email. While there were a number of very positive comments where staff have indicated that they feel communication works well for them, the overall picture was mixed.

The Communications Sub Group met on 1 November to consider the responses and to begin looking at how some of the issues highlighted.

## 10 Voluntary Severance and Workforce Planning

As members will be aware from the NCL Business Plan, there is an intention to operate a voluntary severance scheme in this academic year. At the time of writing we are in discussion with SFC regarding agreement in principle for the release of funds. While we expect that the entitlements under the scheme will mirror those of the 2017/2018 scheme, further discussion and consultation will be taking place with our trade union colleagues in relation to the scope of the scheme and any restrictions on eligibility that may apply.

This will be a standing update in this report for the remainder of the academic session.

Brian Gilchrist  
**Assistant Principal: Organisational Development**

November 2018