

**Resources and General Purposes Committee – 10th November 2024**

**Item 7(a) NCL College Registrar Update**

**This paper provides a summary of current and planned activity in the areas above to provide an update for the Resources and General Purposes Committee. Where the approval/ratification of the Committee is required, this is highlighted at the appropriate points.**

1. **Professional Services Review**

The Professional Services Review has been progressing well, with Phase 1 complete, Phase 2 well underway, and preparations for Phase 3 taking place.  Professional Services staff in each department continue to be consulted extensively, with review activities taking place alongside trade union representatives, resulting in a high level of engagement and feedback.  As anticipated, this stakeholder involvement has shaped and informed much of the decision-making process.

Two key objectives of the review are to have closer departmental alignment to ensure processes are joined up and straightforward for staff, and also that there is a direct line of sight of students’ needs at all times.  The departments involved in each phase of the review are as follows:

Phase 1

* Student Records (previously MIS)
* Student Retention (previously Key Support)
* Systems Development
* Educational Support (previously Educational Learning Support)
* Professional & Work Based Learning (now disbanded)

Phase 2

* Admissions (previously Admissions & Recruitment)
* Customer Services (name under review)
* Student Advisers (name under review)
* Student Funding

Phase 3

* External Funding & International
* Brand
* ICT & Reprographics

Phase 4

* Estates
* Finance
* Catering

As Phase 2 discussions are ongoing, all of our Phase 1 employees have either remained in the same role, been job matched to similar role profiles in their current department, or opted for new roles.  There have been no redundancies as a result of the review activity.

# **College Employers Scotland (CES)**

## **2.1 National Bargaining Update – NJNC Side Table (Support Staff)**

The National Joint Negotiating Committee (NJNC) – Side Table (Support) met on 11th and 25th September 2024 .  An update on key items discussed is set out below:

***Job Evaluation***

The side table was updated on recent informal meetings between the CES team and UNISON representatives to develop a Project Plan and Business Case.

The side table was updated that at a recent meeting of the CES Executive Group, it was supportive of the group looking at all roles (new and evolved) and not just roles in scope as at 1 September 2018.  It was acknowledged that accurate data is required and that this would impact the timescales on the project plan.

***Overtime Ceiling***

The staff side requested the current overtime ceiling rate of £40,000 is increased with recent Pay Awards of an approx. £7,000.  The management side suggested this is something that it would expect to be included as part of a future pay claim, and not mid-way through the pay year, as it was not a decision it could make and would require discussion with CES.

***Real Living Wage***

The staff side raised concerns on the implementation of the Real Living Wage (RLW). At its meetings during October and November, CES subsequently discussed the implementation of the new RLW rate of £12.60 which was announced on Wednesday 23 October 2024. It was agreed that colleges would implement the RLW from 1 November 2024, six months ahead of the deadline date of 1 May 2025, in line with the CES agreement reached the previous year.

***Terms and Conditions Working Group Update***

It was noted a defined definition of Mental Health First Aiders has been developed and agreed by the Terms and Conditions Working Group (previously shared with CES at its Business Meeting in May 2024).  It was agreed this is ready to be issued and the staff side requested that this is issued as a National Agreement as it is a baseline document, and many colleges are doing much more than is set out in it.

CES subsequently considered this at its Business Meeting in November 2024 and will provide further feedback to the working group.

***Facilities Time***

UNISON raised potential issues arising from Facilities Time due to recent changes made with individual release arrangements, and sought flexibility from the sector.

At its subsequent meetings in October and November 2024, CES agreed the proposal of re-allocated hours in Academic Year 2024/25 and noted the impact this may have on some colleges from February 2025.

***Job Security***

UNISON raised concerns about the pace of progress around the issue of Job Security.  It was noted by the management side that a Job Security Working Group Terms of Reference has been agreed and a schedule of meetings will be developed for this working group.  The management side also noted that a draft National Consultation Standards document was originally shared with the staff side in February 2024.

## **2.2 National Bargaining Update – NJNC Side Table (Lecturing)**

***Pay Claim***

The National Joint Negotiating Committee (NJNC) – Side Table (Lecturing) met on 3rd September 2024 to formally ratify the pay offer. At the meeting, the EIS-FELA confirmed that following a ballot of its members, the pay offer was overwhelmingly accepted.

The Lecturing Staff Side Secretary subsequently confirmed on behalf of the EIS-FELA acceptance of the Pay Offer 2022 – 26 as outlined in **Circular STL 03/24 – Lecturing Staff Pay Agreement 1 September 2022 – 31 August 2026 (Appendix 1).** The Circular was formally agreed between the Joint Secretaries on 3rd September 2024.

The NJNC – Side Table (Lecturing) met on 12th September 2024.  An update on key items discussed is set out below:

***Implementation of Circulars 04/18 and 02/21***

It was noted that, as part of the 2022/26 Pay Agreement, it was agreed to ensure full implementation of Circular 04/18 – *Transfer to Permanency* and Circular 02/21 – *Lecturing Staff National Dispute Resolution* which implements the agreed resolution to the national dispute raised by the EIS-FELA regarding the use of tutor/assessor/instructors, as agreed by the NJNC – Side Table (Lecturing) in June 2021.

To progress this, it was agreed to establish a Short Life Working Group that will initially focus on Circular 04/18, after which the group will also review Circular 02/21.

***Hybrid Working and Learning Practices Working Group***

It was noted that progress on this working group has been paused due to workload and other priorities for the EIS-FELA.

## **2.3 National Bargaining Update – NJNC Central Committee**

The NJNC – Central Committee also met on 12th September 2024.  An update on key items discussed is set *out below:*

***Covid Circular***

It was agreed, at the December 2023 Central Committee, to re-negotiate *Circular 01/20 – COVID-19 – Guidance on Paid Leave for Lecturing and Support Staff* and that this would take place over an expedited timeframe as part of a Short Life Working Group (SLWG).

At its subsequent meetings in October and November 2024, CES members noted that the Joint Secretaries have reviewed Circular 01/20 and following that review have drafted a new Circular – *Respiratory Infections including Coronavirus (Covid-19).* It is intended that, if agreed, this Circular will supersede Circular 01/20 and will provide a link to current Scottish Government guidance for all respiratory infections.

***Policy Working Group***

The Central Committee was updated that the Disciplinary Policy was agreed subject to final agreement at the working group.  The management side and the EIS-FELA were supportive of issuing the Policy for implementation with the model procedure to follow.  This was not supported by the full staff side.

At a subsequent Policy Working Group Meeting on 10th October 2024, it was agreed that the Policy cannot be issued separately from the Procedure. This is in keeping with the agreement of the working groups’ Terms of Reference.

The staff side indicated that they had a number of ‘red line’ areas they want to be included or changed and some other less contentious suggestions for enhancing the Procedure. It was agreed that the staff side would share this information in advance of a Disciplinary subgroup meeting for further discussion. It is anticipated that a reviewed Disciplinary Procedure will be ready for consideration at the next meeting of the working group scheduled to take place on 21st November 2024.

***Fair Work Working Group***

It was noted that five of six scheduled meetings were cancelled at the request of the staff side.  The management side asked the staff side to confirm whether it wished to continue with this area of work.

The staff side view was that the sector is not Fair Work employer as there was a lack of local college policies and procedures in place.

The management side did not agree with this position and urged the staff side to review the Scottish Funding Council (SFC) audit on Fair Work in the sector as there are many examples of fair work and evidence was presented to SFC as part of the audit.

***Lessons Learned***

The Central Committee was updated that two meetings have taken place with the Minister to date.  Concerns were raised on the process for these meetings, and the time taken to get outputs from the Strathesk Lesson’s Learned report.

It was agreed that the Central Committee should meet to discuss this matter to look at ways that the NJNC can improve processes without waiting for the outcomes of the Ministerial meeting.

 ***NJNC Protocol/Processes***

The Central Committee was advised that the Joint Secretaries have agreed to revisit the current NJNC protocol that has been in place since 2014.  They have also agreed to draft a Referrals Process for the Joint Secretaries to ensure all referrals follow the same process.

## **2.4 Regional Supervision of UNISON Further Education Branch**

CES was formally advised by email on 7th November 2024 from the UNISON Regional Organiser that the UNISON Scotland Further Education Branch has been placed under regional supervision.

The email also advised that the five FTE allocation for UNISON National Branch/Facilities Time, agreed by CES, has been withdrawn for the six UNISON activists released by individual colleges.  Therefore, these individuals will now return to their employing college.  A direct communication has also been sent to those employing colleges confirming this position.

# **3. Joint Negotiating Committee Update**

## **3.1 JNC Academic**

A meeting of the JNC Academic was held on 10th October 2024.

Since the last JNC meeting, a number of policies have been reviewed, and have been or are about to be published, including:

* CCTV
* Armed Forces
* Drugs & Alcohol
* Artificial Intelligence
* Family Friendly, including Flexible Working

Additionally, the Absence Management Guidance for line managers is due to be published after a substantial period of time having passed since they were first brought to JNC in October 2023. The guidance has been reviewed after initial feedback and updated. The trade union was encouraged to specify where they wished to see further amendments, however instead indicated they were minded to bring out their own guidance.

Other topics discussed included Collegiate Working, Cross Campus Working, Temporary Lecturers and Additional Hours, and the impact of VS on college departments.

The trade union submitted a late paper to the agenda about Supported Learning / Access & Progression which they said did not require an immediate response at the meeting, however they said it was a curriculum issue which is why it was being brought to this meeting. They agreed the paper could be shared with the Head of Department.

Finally, the trade union expressed their appreciation at how the Payroll team had processed the pay uplift to staff so quickly.

The next meeting of the JNC Academic has been provisionally scheduled for 12th December 2024.

**3.2 JNC Professional Services**

There has been no further meeting of the JNC Professional Services since it was last convened on 30th March 2023.

# **Employment Tribunal Update**

There are six claimants in total and the claims remain sisted.

Elaine Turkington

**College Registrar**

November 2024