

**Resources and General Purposes Committee – 15th May 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. **Voluntary Severance Scheme**

As part of the College’s strategic response to the continuing deficit challenge, approval has been sought and secured from the Board of Management to implement a deficit reduction plan that will seek to secure the liquidity and financial stability of the College in the short-medium term.

One proposal towards the achievement of this aim is to open a further self-funded Voluntary Severance Scheme to all staff from 14th May 2024, with applications being accepted for consideration until 3rd June 2024. The business case for this new Scheme was recently approved by the Scottish Funding Council.

1. **Executive Board Restructure**

The restructure of the Executive Board has concluded with an appointment to the new position of Deputy Principal for Professional Services, which was being filled previously on an interim basis.

It has also been decided that this Deputy Principal role is best placed to assume the responsibilities for the maintenance of the Regional Risk Register following the removal of the Chief Transformation Officer role from the structure. Originally the intention had been to reallocate these responsibilities to the College Registrar.

1. **Professional Services Review**

The Professional Services Review aligns closely with NCL Strategy 2025, with particular emphasis on the following two strategic priorities:

* Prioritising resource close to the student
* Simplifying how we work

In conjunction with these strategic priorities, related key NCL priorities of student Recruitment, Retention, Attainment and Progression will underpin the Review.

Consultation with the trade unions is now underway regarding these high level proposals for the Review, including the proposed scope, the approach to ongoing consultation activities and stakeholder involvement in shaping the revised Professional Services structure.

The scale and complexity of the various Professional Services departments necessitates a phased approach and the next step is to share the proposals for Stage 1 with the trade unions, before opening up discussions with the relevant departments:

* Key Support
* Management Information Systems
* Professional & Work Based Learning
* Systems Development

Input from each team will be crucial to the process and Professional Services colleagues should have the opportunity to engage positively in the discussion.

It is important to note there are no plans to reduce overall staffing numbers and there will be no compulsory redundancies as part of this Professional Services Review process.

# **College Employers Scotland (CES)**

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

***Pay Claim***

The National Joint Negotiating Committee (NJNC) – Side Table (Lecturing) most recently met on 28th March 2024. The management side confirmed to EIS-FELA that there has been no change to the overall funding available and that the current full and final three-year pay offer (£2,000 for Academic Year (AY) 2022/23, £1,500 in AY 2023/24 and £1,500 for AY 2024/25 on all lecturing scale points) remains in place.

It was agreed that further discussions would take place between the Joint Secretaries in an attempt to break the current impasse.

***Lecturer Registration***

Discussions have been taking place at CES regarding lecturer registration, given the substantial number of staff in the sector who must complete the Teaching Qualification for Further Education (TQFE) within 5 years. While the requirement seems reasonable, there are financial implications for colleges, considering the remitted hours per staff member, which raise concerns about affordability. If staff fail to meet the TQFE completion timeline, the responsibility for determining consequences rests with employers at individual college level. Added to this, GTCS has advised it can only process a very limited number of applications per year.

As a result, an updated NJNC circular is being prepared between CES and EIS-FELA using a draft phasing plan, which has been produced along with GTCS, to register the current lecturing workforce. This phasing plan runs until 2033, providing many lecturers a longer period to achieve full registration. The National Agreement should allow colleges to manage the registration process at a local level as well as allowing GTCS time to process applications based on their available resources.

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

***Pay Claim***

Throughout March and April, there have been regular, although informal, discussions with UNISON aimed at trying to resolve the current pay dispute. Job security was a major focus of the discussions and, through obtaining information from the sector on potential job reductions, it did not appear there would be any compulsory redundancies prior to the end of the pay year (31st August 2024).

On that basis, and with some additional wording on Job Security, UNISON was willing to take the employers’ previous two year pay offer (£2,000 AY 2022/23 and £1,500 AY 2023/24) to their membership. However, at an extraordinary meeting of the CES Executive Group on 30th April 2024, this option was not supported.

Discussions then progressed between the management side and UNISON to explore a compromise agreement, whereby employers would re-table the three year pay offer, and incorporate some elements of the trade union’s requests on Job Security for the first two years of the three year deal.

The National Joint Negotiating Committee (NJNC) – Side Table (Support) subsequently met on 9th May 2024, where the management side tabled a revised three-year offer (**Appendix 1**) to the support staff trade unions (UNISON, Unite and GMB). The pay elements are as previously presented and have not changed since the employers’ full and final three year pay offer was made in November 2023 - £2,000 for AY 2022/23, £1,500 in AY 2023/24 and £1,500 for AY 2024/25.

Unite and GMB members have previously accepted the pay offer. UNISON is now progressing this three year pay offer to a formal consultative vote of their members.

***Job Evaluation***

Progress has been slow since the last update on Job Evaluation, despite ongoing discussions between management and the trade unions to find a way forward. Informal discussions have now commenced on developing a resourced and costed Project Plan, to include a Business Case, milestones and project completion, with a view to presenting to presenting to the CES Executive Group and then to the Scottish Government.

Scottish Government officials have indicated that funds for the outcomes of Job Evaluation are recognised as a liability on their balance sheet and that access to these would require a jointly agreed approach between employers and trade unions.

There remains concern about the validity of the data used for the original Job Evaluation exercise, not least because it is now considerably out of date.

1. **Industrial Action**

Following ***EIS-FELA’***s notification in January of its intention to undertake a programme of discontinuous industrial action consisting of strike action which commenced on 29th February 2024, there has been a further three strike days for all colleges on 15th, 22nd and 29th April. As of 1st May 2024, EIS-FELA has announced a further nine days of strikes at all colleges on the following dates:

* 20th & 23rd May
* 28th, 30th & 31st May
* 3rd, 4th, 5th & 7th June

A programme of industrial action short of strike (ASOS) began on 12th February 2024. This takes the following forms:

* “working to rule”, where members perform their duties strictly to the letter of their contract, ie refusing to take on any additional duties or attending voluntary or extra-curricular meeting or events.
* A resulting boycott, involving members withholding students’ results.

***UNISON*** also announced discontinuous strike action to take place on 29th February 2024, and subsequently on 13th, 20th and 23rd May 2024. However, the trade union has since confirmed it will suspend strike action scheduled for 13th Maywhilst the formal consultative vote is underway.

# **Joint Negotiating Committee Update**

## **6.1 JNC Academic**

A meeting of the JNC Academic was held on 25th April 2024.

It was acknowledged there is a need for additional meetings outside of the JNC cycle to be able to accommodate items which need more consideration and focus. Currently this would include the draft Absence Management guidelines and the draft Drugs & Alcohol Policy. A short life working group will be convened to address the output of the trade union survey on culture.

The trade union confirmed their sign off on the CCTV Policy, however the Armed Forces Reservists Policy is still with relevant members for discussion.

It was confirmed that Family Friendly and Flexible Working Policies are due to be updated and that a summary of changes will be issued shortly to the trade union. Concerns were raised over the treatment of some flexible working requests, however there has been an increase in the number of requests approved over the last year and the trade union was asked to raise individual concerns directly with Human Resources.

Information about the new Staff Development Strategy was shared with the trade union.  This has been developed with the Staff Development Academy, the Dean for Learning & Teaching and the Assistant Principal for Education and Student Success. It has been designed to encourage professional services and academic staff to further develop digital capability skills to support the new digital college and attainment of higher-level qualifications to prepare staff to deliver of qualifications via the undergraduate school. Vocational skills development will also be encouraged and the use of AI in learning and teaching will support the innovation in curriculum development and delivery.

One element of this, following focus group feedback from students and staff, will be to tailor learning approaches to students who may have different challenges to overcome.  There was concern expressed by the trade union about lack of additional resource for this.  Assurance was provided that this would be focused on providing students with flexibility and responding to their needs, and was not about replacing the College’s fundamental learning and teaching approach.  The trade union said they would review and respond on the strategy proposal.

Other topics covered included temporary lecturers’ contract wording, permanisation, strike day communications, and trade union training. There was also a discussion on the need for the trade unions to be fully consulted / informed about topics in order for them to be able to respond to members’ questions.

The next meeting of the JNC Academic has yet to be scheduled.

**6.2 JNC Professional Services**

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

The local Recognition and Procedure Agreement template remains the subject of ongoing discussions between management and UNISON and Unite representatives, although progress has been made in providing a route to the Board as a latter stage in the Disputes Procedure. It has been proposed that the Chairs’ Committee should act as a Stage 3 Appeals Panel.

# **Employment Tribunal Update**

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

Elaine Turkington

**College Registrar**

May 2024

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| **Appendix 1** |



Support Staff – Revised Three-year Pay Offer

Following an extensive series of constructive informal discussions to resolve the pay dispute, the employers are proposing a revised three-year offer that takes into consideration matters raised during those discussions.

The employers request that UNISON, Unite and GMB take this offer to their membership.

# **Pay**

## **Year 1 – 1 September 2022 – 31 August 2023**

A consolidated Pay Award of £2000 on all salary points for support staff, effective from 1st September 2022.

## **Year 2 – 1 September 2023 – 31 August 2024**

A consolidated Pay Award of £1500 on all salary points for support staff, effective from 1st September 2023.

## **Year 3 – 1 September 2024 – 31 August 2025**

A consolidated Pay Award of £1500 on all salary points for support staff, effective from 1st September 2024.

As the NJNC – Side Table (Lecturing) remains in dispute on the pay element of the employers offer, should there be any change to the pay and job security offer for the Lecturing Staff Side over the three-year period, then these will also be equally applied on an individual basis to Support Staff pro-rata.

## **Job Security**

Following discussion with the employers, there will be no compulsory redundancies for support staff from the date of this agreement until the 31 August 2024.

The employers endeavour to avoid the use of compulsory redundancies and protect jobs.

The NJNC – Side Table (Support) commits to conclude a National Agreement on an Approach to Consultation at the start of the Academic Year 2024/25.

The NJNC – Side Table (Support) is also committed to furthering discussions with the Scottish Government on a Fair Work Job Security Fund at the start of the Academic Year 2024/25.

The NJNC – Side Table (Support) has also agreed to jointly develop a further National Agreement on the avoidance of compulsory redundancies.

## **Industrial Relations**

The Support Staff Trade Unions will endeavor to ensure that Industrial Action shall only be taken when all other avenues of negotiation are fully exhausted.

The NJNC – Side Table (Support) commits to bringing about a significant improvement in Industrial Relations across the sector during the Academic Year 2024/25.

# **Terms and Conditions**

## **Four-day Working Week**

The employers commit to continuing a working group that would include both the employers and the support staff side. The group would agree a Terms of Reference and Remit which would include the group researching the four-day working week and a pilot in at least one college. Pilot college(s) will be identified within Academic Year 2024/25. A full assessment of the success of the pilot with lessons learnt would also take place before consideration of wider implementation.

The working group will also work with the Scottish Government officials to access any support which is available.

## **Terms and Conditions Working Group**

The employers continue to commit to the agreed programme of work, with a mechanism in place for monitoring progress, to ensure outstanding and new matters are concluded by the end of the Academic Year.

The employers are committed to continuing work on the two outstanding areas of work, Miscellaneous Leave and Working from Home, and Mental Health and Well Being.

# **Job Evaluation**

The employers commit to continuing discussions on Job Evaluation and Pay and Grading as a matter of urgency.

## **Notes:**

1. The terms of this Agreement on Pay and Terms and Conditions will be applied pro rata for part time employees.
2. Non-NRPA colleges will be encouraged to shadow any agreement.
3. The employers maintain their commitment to Living Wage Accreditation.
4. The commitment on compulsory redundancies will not apply to those support staff on fixed term contracts which naturally come to an end from the date of this agreement until 31 August 2024.
5. Those who have left the sector between 1 September 2022 and the date of issue of the Circular, who have not received the Pay Award, will be required to write to their former college and request payment.
6. Support staff who have left on or after 1 September 2022 or agree to leave by the date of this agreement on a voluntary severance basis will have their settlements adjusted accordingly and the relevant pension scheme advised as appropriate.

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| **9 May 2024** |
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