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**Resources and General Purposes Committee – 2nd September 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 was sought and secured from the Board of Management to implement a deficit reduction plan that would seek to secure the liquidity and financial stability of the College in the short-medium term.

One proposal towards the achievement of this aim was 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. A further business case for this Scheme was recently approved by the Scottish Funding Council, extending the closing date to 31st July 2024.

To date, the College has been able to accept Voluntary Severance applications from 16 Academic and 12 Professional Services employees. A breakdown of those details and costs is included separately in **Appendix 1.**

1. **Executive Board and Deans Group Appointments**

Two Interim Dean appointments were recently announced, and both roles will report to the Deputy Principal for Professional Services.

The Dean for Student Recruitment & Experience is currently leading the bid activity for the Scottish Prisons Service Personal Development & Learning Service contract, and a temporary backfill has been appointed to cover the Dean’s substantive role responsibilities.

A new position of Interim Dean for Digital Learning & Quality Enhancement will lead on the development for The Learning Well, NCL’s new digital campus, as well as guiding the Quality Team through a digital transformation of existing policies and ensuring that all courses meet rigorous academic and accreditation standards. This has provided us with the opportunity to realign the Quality Team reporting line, following the departure of the Assistant Registrar Quality.

1. **Professional Services Review**

The Professional Services Review has been progressing during the last academic term 23/24 and throughout the summer months, with Phase 1 almost complete. Professional Services staff in each department and team have been consulted with extensively, 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 outcomes of the review were to have the departments aligned one to the other 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 start of the new academic term now enables us to see how the structural and process changes are working.

Two of the teams have changed their names as a result of the review to help with the increased focus on clarity of purpose:

* Management Information Systems (MIS) is now known as Student Records
* Key Support has become Student Retention

The most complex element has been disbanding the Professional & Work Based Learning department as it was acknowledged to be no longer fit for purpose. The Apprenticeship Team has moved to the newly created Automotive & Apprenticeships Department and all other team members have been successfully redeployed to new opportunities in other college departments.

In summary, as Phase 2 discussions are commencing, 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)**

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

***Pay Claim***

The National Joint Negotiating Committee (NJNC) – Side Table (Support) met on 5th June 2024 where the staff side confirmed that, following consultative ballots, all support staff trade unions, UNISON, GMB and Unite had a mandate to accept the full and final pay offer 2022-25.

The Support Staff Side Secretary subsequently confirmed on behalf of UNISON, Unite and GMB acceptance of the Pay and Terms and Conditions Offer 2022 – 25 as outlined in **Circular STS 01/24 – Support Staff Pay and Terms and Conditions Agreement 1 September 2022 – 31 August 2025 (Appendix 2).** The Circular was formally agreed between the Joint Secretaries on 10th June 2024.

***Job Evaluation***

A series of informal meetings on Job Evaluation will be scheduled with all support staff trade unions to continue to draft a Project Plan and subsequent Business Case which will then be considered by the NJNC – Side Table (Support) and CES.

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

***Pay Claim***

A series of National Joint Negotiating Committee (NJNC) – Side Table (Lecturing) meetings have taken place since the RGP Committee was last updated. The EIS-FELA proposal of including a fourth year pay rise in their pay claim, along with the employers’ response is detailed below.

16th May 2024

The staff side tabled a revised pay claim which, if agreed, would accept the employer's full and final three-year pay offer (AY 2022/23: 2,000; AY 2023/24: 1,500; AY 2024/25: 1,500), but with the proposal of extending pay to include a fourth-year pay rise of 3,000 for AY 2025/26.

The revised pay claim also included requests of reimbursement for deductions from strike participants, a guarantee of no compulsory redundancies for academic staff, and full implementation of Circulars 04/18 (Transfer to Permanency) and 02/21 (Lecturing Staff National Dispute Resolution) by the end of AY 2023/24.

The management side was clear from the outset that reimbursement of deducted monies for strike action would not be considered and that anything related to "catch-up work" should be addressed at local college level.

 The management side advised that on the request for no compulsory redundancies, it would make the same offer that has been made to the support staff that from the date of agreement until the 31st August 2024.

The management side urged the EIS-FELA to suspend all industrial action while urgent consultations and discussions with CES and the Scottish Government regarding AY 2025/26 funding are taking place. However, EIS-FELA representatives advised it was looking for a counter-offer for the fourth year (AY 2025/26) before it would consider postponing strike days.

23rd May 2024

The management side gave a response to each element of the EIS-FELA’s revised claim:

* expressed support for EIS-FELA’s request for the full implementation of Circulars 04/18 and 02/21, and for discussions between the EIS-FELA and support staff trade unions in order to reach a joint position on Circular 02/21.
* clarified that In terms of the EIS-FELA’s demand for a guarantee of no compulsory redundancies for academic staff, they would be willing to revisit the job security provisions included in the full and final pay offer, and refine the wording previously suggested by the EIS-FELA.
* reiterated that reimbursement of deducted monies for strike action would not be considered
* requested EIS-FELA firstly present the current full and final three-year offer to their members for a formal ballot, and that the management side would then consider how they might jointly progress with their claim for a fourth year.

The EIS-FELA responded by saying that the claim was an inseparable request and they would not consider separating acceptance of the three-year pay offer from their fourth-year pay claim.  They stated that they could not present what the management side had offered today to their members, nor suspend their industrial action.

Thereafter, a further seven NJNC meetings took place between 29th May and 2nd July which saw the management side move its position from offering 1% to 3% for Year 4, stating that anything more would be unaffordable to the sector. And in the same time period, the EIS-FELA negotiated from a 6.2% claim to a bottom line of 5% for Year 4.

Pay Ballot and Acceptance of Offer

A meeting was held with the Minister for Higher and Further Education on 19th August, with two representatives from CES and two representatives from the EIS in attendance. The Minister made a commitment to fund the gap in year 4 (2025/26) between the employers’ offer of 3% and the settlement point for the EIS-FELA (4.14%) on an ongoing basis, at cost of £4.5m per year over existing budgets.  The Scottish Government committed to providing a commitment to employers in writing to this effect, once the other elements of the deal were agreed.

Following this meeting, and formal confirmation on funding from the Minister, a further pay offer (**Appendix 3**) was made to EIS-FELA for discussion at their Executive meeting on 23rd August. EIS-FELA then conducted a seven-day consultative ballot, with a recommendation to members to accept the employers’ latest offer.

On 30th August, EIS-FELA advised that their members have voted ‘overwhelmingly’ in favour of acceptance of the 2022-26 Pay Offer.  According to the EIS, 95% of lecturers voting in the ballot voted in favour of accepting the improved offer, with 5% voting to reject.  Turnout in the ballot was 84%.

 The EIS has written to college principals advising that *“…the strike action and action short of strike action are suspended – including the resulting boycott and the withdrawal of goodwill.  The Agreement is clear that results that are being withheld should be inputted within 10 days of the Agreement’s ratification – which we expect to be on Tuesday, 3rd September. We have also advised members, therefore, that they may begin to input ‘withheld’ marks immediately if they wish.”*

1. **Industrial Action**

*EIS-FELA’*s programme of discontinuous industrial action consisting of strike action which commenced on 29th February 2024, continued throughout May and June with strikes at all colleges taking place on the following dates:

* 20th, 23rd May
* 28th, 30th, 31st May
* 3rd, 4th, 5th , 7th June
* 11th, 12th, 13th, 14th June
* 17th, 19th, 20th, 21st June
* 24th, 25th, 27th, 28th June

A further ballot at the end of June extended EIS-FELA’s mandate for industrial action from 5th August 2024 consisting of strike action and industrial action short of strike action (ASOS). Strike days were planned for the new academic term:

* 20th, 21st, 22nd August
* 27th, 29th, 30th August
* 2nd, 3rd, 4th, 5th September
* 9th, 10th, 11th ,13th September

EIS-FELA stated that ASOS was anticipated to continue until 21st January 2025, unless an earlier resolution was found.

Following the meeting with the Minister, strike action was suspended during the w/c 20th August 2024. Strike dates for the remainder of August wa cancelled while the pay ballot took place.

# **Joint Negotiating Committee Update**

## **6.1 JNC Academic**

There has been no further meeting of the JNC Academic since it was last convened on 25th April 2024.

**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.

# **Employment Tribunal Update**

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

Elaine Turkington

**College Registrar**

September 2024