Item 13

Status: For Noting

Glasgow Kelvin College

Board of Management

Finance and Resources Committee

Human Resources Update – 11 May 2021

Report by Director of Human Resources

1.0 Introduction

The purpose of this paper is to provide members with an update on Human Resources matters in relation to the following areas:

2.0 Employment Relations
3.0 General Teaching Council (Scotland)
4.0 Attendance Management
5.0 Legislation and Case Law Development
6.0 Equality, Diversity and Inclusion

2.0 Employment Relations

The purpose of this section is to provide members with an update on employment relations in terms of both National Collective Bargaining and local matters between the College and its recognised trade unions, EIS/FELA and Unison.

2.1 National Employment Relations

EIS/FELA – National Dispute

Members will recall that the EIS/FELA raised a National Dispute on 28 August 2020 relating to the creation of Assessor/Instructor roles within colleges. The College received a statutory notice for a programme of strike action following a successful EIS Ballot for Industrial Action. This resulted in five days of strike action. During this period a number of dispute meetings were held in accordance with the terms of the Dispute Resolution Procedure of the National Recognition and Procedures Agreement (NRPA) in an attempt to resolve the dispute.

The EIS and Colleges Scotland have now reached a resolution and an NJNC Agreement will be ratified at a NJNC meeting scheduled for week commencing 03 May 2021. The national dispute will be resolved when the NJNC Agreement is formally ratified at which point the remaining strike dates will be cancelled.

Unison

The NJNC Support Staff (Side Table) for has met on several occasions and an agreement was reached with regards to the support staff pay and Terms and Conditions.

Circular STS 01/21 - Support Staff Pay and Terms and Conditions Agreement 2020/21 which details the pay award for support staff for the period 1 September 2020 to 31 August 2021 – attached under Correspondence at Agenda item 07c.

Pay Award

The Pay Award is effective from 1st September 2020 and awards a consolidated award of 2% on all salary points (as at 01 April 2020) subject to a minimum payment of £750 and a maximum payment of £2,000. Backdated monies for staff will be included in the May 2021 salary.

Annual Leave

In addition to the increase in pay, one additional annual leave day (pro-rata for part-time staff) has been added to support staff leave entitlement for leave year 2020/21 on an unconsolidated basis. This must be used within the current leave year, which ends on 31 August 2021.

First Aid

All First Aiders currently paid less than the Nationally agreed £500 per annum will receive the full allowance with effect from 1st November 2020. This affects two members of staff.

Breaks

To support the wellbeing of support staff in the sector, the following wording is proposed for inclusion in the *National Agreement – Terms and Conditions (Support Staff):*

The full-time working week for support staff is 35 hours per week, normally worked between Monday and Friday. These hours will normally be worked on a daily basis between 0800 and 1800 exclusive of a lunch break and inclusive of paid morning and afternoon breaks.

This wording largely mirrors that already contained in the Colleges Support Staff Contract of Employment. The existing terms and conditions of service agreed between Management and Unison in 2014 for Support Staff provides for a fifteen minute paid tea break in the morning and the afternoon. The wording '*inclusive of paid morning and afternoon breaks'* will now be incorporated into the support staff Contract to reflect the National Agreement.

2.2 Local Employment Relations

EIS (FELA) and Unison

The JN/CCs meet formally and informally as per the agreed schedule and both parties continue to build good working relations. Ad hoc meetings are arranged as and when necessary to consult with the Trades Union to ensure that positive working relationships are maintained.

In addition, consultation takes place at the Transformation and Renewal Consultation Committee to progress the Transformation and Renewal Plan.

Since week commencing 22 March 2021 separate additional weekly Ad hoc Joint Negotiation and Consultation Committee meetings with EIS/FELA and Unison have been scheduled to consult on Voluntary Severance.

3.0 General Teaching Council Scotland (GTCS)

Members will recall that the Lecturing staff at Glasgow Kelvin College (GKC) are part of the first group of lecturing staff who are required to register with the GTCS as identified by the College Lecturers' Registration Working Group.

The Pilot has now come to an end and 79% of Glasgow Kelvin teaching staff have or are in the process of completing the registration process. The National launch of the registration process will take place 01 August 2021.

Members will be aware that the College established a GTCS Pilot Workgroup to work with GTC Scotland to test, review and feedback on systems and processes for lecturer registration in preparation for the process opening to all teaching staff within the Further Education Sector in August 2021. The GKC GTCS Workgroup will continue to meet to progress a range of areas within the College to support GTCS registration and the integration of the process into systems and processes.

These areas include:

- developing an internal selection process for teaching staff for Teaching Qualification in Further Education;
- revising the College's Professional Development Review process to dove tail with the GTCS MyPl system; and
- integrating the GTCS Professional Standards for Lecturers in Scotland's Colleges into HR and OD policies, procedures, processes and systems.

The Professional Development Network, of which the HR Director is a member, is working in partnership with GTC Scotland to produce two documents for the College Sector, 'Registration Rules for College Lecturers' and 'Validated Routes to Registration' in preparation for the National launch.

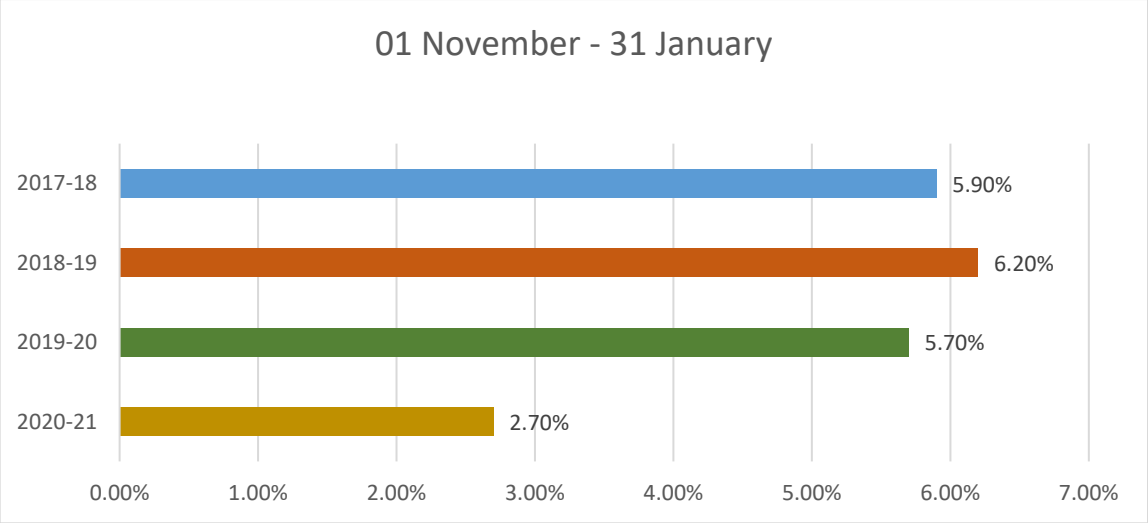
An update on progress will be brought to a future meeting of the Finance and Resources Committee.

4.0 Attendance Management

Members will be aware that as part of College monitoring systems it records staff attendance figures and regularly reports these to the Committee. The purpose of this section is to provide further details on the statistics for the second quarter of session 2020/21, which is the data available at the time of writing this report.

In comparing the absence statistics for 01 November 2020 to 31 January 2021 (Quarter 2) to the previous session for the same period, the absence percentage has decreased by 3%. Chart 1 below shows that the absence percentage rates this period over the past four years.

Chart 1 – Absence Percentage Rate – Quarter 2 - 01 November to 31 January



Collation of the Quarter 3 data is not yet complete as the deadline for the submission of April timesheets (for Temporary Lecturers and additional hours worked by permanent teaching staff) is 14 May 2021. Based on the information currently available, the percentage absence rate is 2.4% However, this may change once all information is included.

Table 1 below shows the absence rate for each category of staff for this reporting period and over the past four academic years.

Table 1 – Absence percentage rates 01 November to 31 January over Four Sessions

Q2	Permanent Teaching Staff	Temporary Teaching Staff	Support Staff	Management
2020-21	3.30%	0%	1.90%	0.00%
2019-20	5.20%	0%	6.00%	11.10%

2018-19	6.10%	6.30%	6.70%	2.80%
2017-18	6.20%	1.00%	6.30%	1.10%

Comparing the data for Quarter 2 for this session and the previous session, the following **decrease** in absence rates can be noted:

- Permanent Teaching: 1.9%
- Support: 4.1%
- Management: 11.10%

Comparing the data for Quarter 1 and Quarter 2 in session 2020/21, Table 2 shows there was an increase in the percentage of absence relating to permanent teaching staff, this is mainly attributable to long-term absence. There was a decrease in the percentage rate for support staff and this is attributable to an improvement in long-term absence.

Table 2 - Absence percentage rates Quarter 1 in comparison to Quarter 2

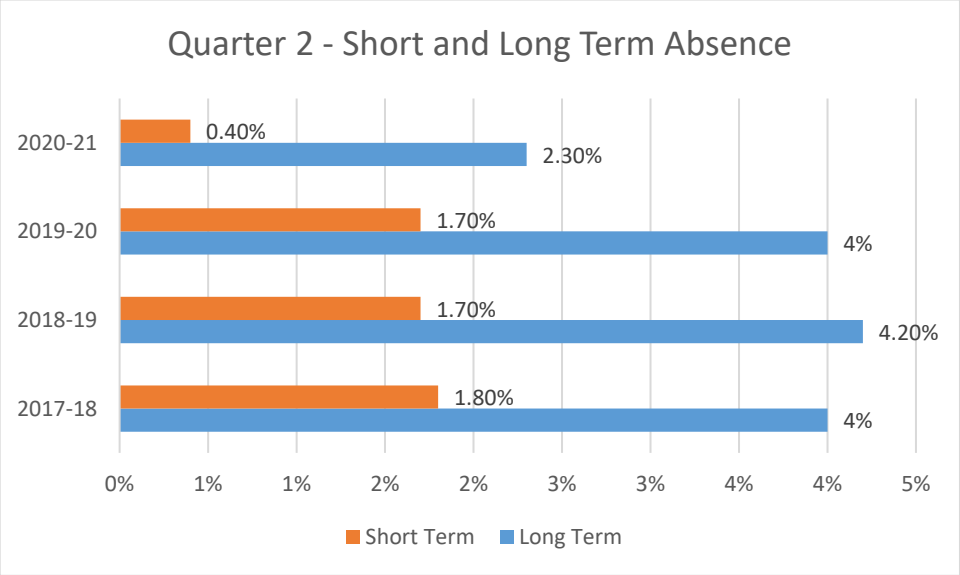
2020-21	Permanent Teaching Staff	Temporary Teaching Staff	Support Staff	Management
Q1	2.40%	0%	3.30%	0.00%
Q2	3.30%	0%	1.90%	0.00%

Short-term and Long-term Absence

Chart 2 below shows the short-term and long-term absence rates for Quarter 2 over the past four academic years.

In Quarter 2, Session 2020/21, the short- term absence rate was 0.4% a reduction of 1.3% from the previous session. Long term absence reduced to 2.3%, a reduction of 1.70% from the previous session.

Chart 2 – Short and Long-Term Absence – Quarter 2 – 01 November to 31 January



5.0 Legislation and Case Law

5.1 National Living Wage/National Minimum Wage/Statutory Benefits

There was increase in the Living Wage, the Minimum Wage and Statutory Benefits (statutory maternity pay and allowance, and statutory paternity, adoption and shared parental pay) which came into effect on 1 April 2021.

The National Living Wage has increased from £8.72 to £8.91 and it has been extended so that it will apply to 23 and 24-year olds for the first time. In addition, the period that an employer must retain records sufficient to prove it is paying a worker the correct rate extends from three to six years. Members will be aware that the College is accredited under the Scottish and Glasgow Living Wage.

5.2 Tribunal Compensation

The annual Employment Tribunal award limit change is effective from 6 April 2021. For cases involving dismissals, the figures apply where the effective date of termination falls on or after 6 April 2021. The limit on compensatory award for unfair dismissal rises from £88,519 to £89,493.

The limit on a week's pay (used for calculating statutory redundancy payments and the basic award for unfair dismissal) will increase from £538 to £544 meaning the maximum basic and maximum statutory redundancy payment increases to £16,320.

5.3 Guidelines for Injury to Feelings Awards

An award for injury to feeling is made to compensate for injury to feelings caused by discrimination. The award is separate from an award to compensate for financial loss and can be made even when no financial loss has been suffered. To assist Employment Tribunals, the Court of Appeal previously set out guidance for quantifying awards for injury to feelings, known as the Vento bands. The new Vento bands are as follows for any cases presented on or after 6 April 2021:

Lower band (less serious)	£900 - £9,100
Middle band	£9,100 - £27,400
Upper band (more serious cases)	£27,400 – £45,600

Awards over £45,600 will only be made in exceptional cases.

6.0 Equality, Diversity and Inclusion Update

The following provides an update on the key areas to progress the Board's equality, diversity and inclusion agenda.

- The College published its Public Sector Equality Duty 2021 Report and Equality Outcome Reports in line with requirements of the specific duties of the Public Sector

Equality Duty under The Equality Act 2010. This report was endorsed by the Committee in February and approved by the Board in March 2021.

- Members will recall that GKC is part of the Fearless Glasgow Collaboration. This is a grouping of further and higher education institutions led by Glasgow Caledonian University. Glasgow Caledonian University received a grant from the Scottish Funding Council to fund purchase of a Report and Support Tool. The organisation Culture Shift, has developed an online system for the reporting of harassment and bullying, including gender-based violence in an academic context and which supports the victims. This online tool will enable students and staff in institutions across Fearless Glasgow to report anonymously on directly gender-based violence and harassment issues. The target date for implementation of the online tool is 01 August 21. The website will provide specific advice in relation to sexual harassment and gender-based violence and the support available. The software also enables the College to use the Tool to manage other forms of harassment relating to protected characteristics. A project group has been established to progress the implementation of the online tool.
- The Equality and Human Rights Fund is a new Scottish Government programme that supports organisations that deliver work focussed on tackling inequality and discrimination, thereby furthering equality, and advancing the realisation of human rights in Scotland. The Fund is managed by Inspiring Scotland. The College is exploring options for possible projects and an update will be provided at a future meeting of the Finance and Resources Committee.
- A number of staff were trained as First Responders to assist students who have experienced gender-based violence. This training entailed three half day sessions. Staff included members of the safeguarding team, front line staff, Human Resources, Trade Union representatives and some managers.
- Training for managers in managing allegations of sexual, and other forms, of harassment and awareness training for staff will be provided in August 2021 to align with the launch of the Report and Support online tool.
- A workgroup to review the College's Recruitment and Selection Policy, procedures and associated practice has been established to audit and review the process against the document published by the Scottish Government titled 'Minority Ethnic Recruitment Toolkit' and associated documents.
- Consultation is underway on the College's Trans Guide and Gender Based Violence (GBV) Policy. The GBV Policy will be presented to the Finance and Resources Committee as soon as it has been finalised.
- A pilot project to embed anti-racism approaches into the Curriculum has been designed and will be piloted by two curriculum areas, social sciences and hair and beauty staff, in the new academic year.
- A number of focus groups have been held with staff and students to inform and influence the further development of our policies, procedures and practices.

7.0 Resources Implications

There are no resource implications identified as a result of this report.

8.0 Equalities

There are no equality implications identified as a result of this report. Section 6 of this report demonstrates the activities being undertaken to meet the College's legislative obligations to meet the general and specific duties under The Equality Act 2010.

9.0 Risk and Assurance

No risks have been identified as a result of this report.

10.0 Data Protection

No data protection issues have been identified as a result of this report.

11.0 Recommendations

Members of the Finance and Resources Committee are recommended to:

i) note the content of this report;
ii) note the pay award and changes to support terms and conditions will be implemented in accordance with Circular STS 01/21 - Support Staff Pay and Terms and Conditions Agreement 2020/21;
iii) note the Gender Based Violence Policy will be presented to the Finance and Resources Committee as soon as it has been finalised; and
iv) note the actions planned or taken by the College to ensure compliance with the Public Sector Equality Duty under The Equality Act 2010.

12.0 Further Information

Further information on the content of this report can be obtained from Doreen Shiels, Director of Human Resources (dshiels@glasgowkelvin.ac.uk).