Item 15
For Information

Glasgow Kelvin College

Board of Management

Finance and Resources Committee – 15 September 2020

Employment Relations

Report by Director of Human Resources

1. Introduction

This report seeks to provide members with information on Employment Relations in terms of both National Collective Bargaining as well as internal matters between the College and its recognised trade unions, EIS/FELA and Unison.

2. National Position

2.1 Lecturing Staff update

2.1.1 National Dispute(s) – EIS

The EIS raised a National Dispute on 28 August 2020 relating to the creation of Assessor/Instructor roles within colleges. A number of colleges have created roles which have support staff terms and conditions to deliver aspects teaching and learning and reduced the number of lecturing roles within their structure. These roles do not carry out the full range of duties and responsibilities of a lecturer. The EIS interpret the creation of these roles as a breach of a National Agreement and in their view, it undermines the work of the General Teaching Council for Scotland, particularly around registration. The Management Side see this matter for local determination at an individual college level.

A dispute meeting was held in accordance with the terms of the Dispute Resolution Procedure of the NRPA on 03 September. Following discussion, it was agreed that the Employers Association (EA) would provide the employers position in writing and a further meeting will be held 10 September. If available a verbal update on the position will be provided at this meeting.

2.1.2 National Facility Time - EIS

Members will be aware that a Facility Time Working Group (FTWG) was established to discuss reasonable facility time for representatives to carry out business associated with National Collective Bargaining. Discussions between the EA and the EIS have been ongoing in relation to this matter. The EIS did not respond to requests from the management side for information to further these discussions. At the most recent meeting of the Side Table (Lecturers), the staff side were therefore advised that there will be no further meeting of the Facilities Time Working Group scheduled until such time as the requested paperwork is received.

The Employers' Association Executive Group has agreed to maintain the employers' position.

This position remains as follows:

- National representatives will receive a guaranteed set amount of 10 days per academic year national facility time per nominated national representative (excluding current job evaluation arrangements) as of 1st August 2020.
- National representatives will receive additional time off, as required, for other national working group activity to conduct the business of National Bargaining
- Dates of national meetings and names of national representatives will be provided to relevant colleges to ensure time off is planned and facilitated
- Colleges with nominated national representatives will receive the appropriate reimbursement from August 2020.

At a local Joint Negotiating/Consultative Committee held 13 August the EIS/FELA were informed of the Employers Association decision.

2.1.3 Professional Registration (STCS)

Members will be aware that Lecturing staff will require professional registration with the General Teaching Council (Scotland) (GTCS) as per NJNC **Circular 03/18.**

Lecturing staff at Glasgow Kelvin College 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 as one of five colleges participating in the initial pilot project. As part of the pilot the registration fee for lecturing staff at Glasgow Kelvin College will be free for the first year. It will be the financial responsibility of each lecturer thereafter.

A Data Sharing Agreement with the GTCS and the College has been agreed and will be signed this will allow the College to share the required data with the GTCS. The lawful basis for sharing the data is the contract of employment. A variation of contract will be issued teaching staff.

Registration with the GTCS requires the possession of a TQFE or an equivalent to a minimum SCQF level 9. Advice will be issued by the College Lecturers' Registration Working Group on equivalencies to TQFE and/or alternative pathways to registration in due course. The College will agree a reasonable timescale for staff to obtain an appropriate qualification or support for staff to assist them to register with the GTCS.

The College Lecturers' Registration Working Group are working to a schedule that will see registration opening for all lecturers with TQFE (or equivalent) from 1 August 2021. The anticipated timescale for the conclusion of the registration process of all college lecturers is 1 August 2022.

2.2 Support Staff update

2.2.1 National Job Evaluation Process for Support Staff

Members will recall that the National Job Evaluation Phase was launched on 26 April 2019. Phase one of the evaluation exercise is ongoing. Support staff roles are going through the first score process and once complete they will go through a second score process. A total of 98% of Glasgow Kelvin College roles have been scored.

In addition to existing roles the National Job Evaluation Working Group (NJEWG) has drafted a process to address new roles created since 01 September 2018 and those roles which have been subsequently evaluated since the commencement of the exercise. This process will proceed once all current roles at 01 September 2018 are complete.

A further meeting go the NJEWG is scheduled for 15 September 2020.

2.3 Pay Claims 2020/21

Discussion is ongoing regarding the Pay Claims received from EIS-FELA and the Support Staff Side

2.3.1 Teaching

A management offer of a consolidated 2% pay increase across all lecturer salary points has been made. The staff side were made aware of the current financial situation of the sector and the implications of any pay award. The staff side agreed they are aware of the financial position.

Discussions on the pay claims have highlighted the significant associated financial implications and the need for transformational change in the sector. They have also emphasised the need for recognition and acceptance that any agreed pay increase will result in consequences for colleges and staff. It is acknowledged that this needs to be clear in communications. Working in partnership with the Trade Unions and management the EA are keen to ensure disruption to the learner, caused by dealing with challenging employee relations situations, is minimised.

It was acknowledged that further discussion may be required with the Scottish Funding Council on financial viability and affordability.

The next meeting of the NJNC – Side Table (Lecturing) is scheduled for Thursday, 17 September 2020

2.3.2 Support

A meeting of the NJNC Side Table for Support Staff is scheduled for 16 September 2020. An update on the pay claim discussions for support staff will be brought to a future meeting of the Finance and Resources Committee.

2.4 National Recognition and Procedures Agreement Update

Members will recall following separate consultation with all College Chairs and Principals on the proposal to include Principals and Senior Staff in an appropriate National Bargaining mechanism, a working group comprising of College Chairs and Principals was established.

A draft document outlining potential bargaining machinery for Principals and Senior Staff is being drafted and will be shared in due course.

3. Local Situation

3.1 EIS (FELA) and Unison

A schedule of dates for the JN/CC has been agreed and members will continue to meet formally and informally throughout the academic year.

4. Discipline, Grievances and Employment Tribunals

At the time of writing this report the College was not managing any disciplinary or grievance matters.

The College has settled a claim in respect of an Employment Tribunal matter, this was settled without going to an employment tribunal based on legal advice. The settlement of this claim was not an admission of liability on the part of the College but rather, was a decision based purely on a commercial basis to avoid for legal costs and expense in management time and resources.

5. Resource Implications

There will be a resource implication in respect of any pay award settlement reached with teaching and support staff Trade Unions. The College had incorporated a 2% increase for a staff cost of living increase within its financial planning for 2020/21. Any additional percentage increase nationally agreed would put further financial pressure on the College and lead to an increased deficit.

6. Equality

There are no equality issues identified as a result of this item.

7. Risk and Assurance

There are no risks have been identified as a result of this item.

8. Data Protection

The College will sign an appropriate Data Sharing Agreement with the GTCS in respect of providing staffing data for teaching staff.

9. Recommendations

Members of the Finance and Resources Committee are recommended to:

i) note the content of this report provided for members information; and
ii) request the Director of Human Resources to bring forward an update to the next scheduled meeting of the Committee.

10. Further Information

Further information on the content of this report can be obtained from Doreen Shiels, Director of Human Resources at dshiels@glasgowkelvin.ac.uk or Derek Smeall, Principal at dsmeall@glasgowkelvin.ac.uk