The Educational Institute of Scotland

Mr Derek Smeall
Principal
Glasgow Kelvin College
Springburn Campus
123 Flemington Road
Glasgow
G21 4TD

Ref: LF/AS/RESULTFELA22
31 March 2022

By email only

Dear Mr Smeall,

RESULT OF INDUSTRIAL ACTION BALLOT FOR STRIKE ACTION AND ACTION SHORT OF STRIKE ACTION - IN PURSUIT OF THE NATIONAL PAY CLAIM 2021-22 DISPUTE

Further to my letter of 3 March 2022, I write, as required by Sections 231 & 231A of the Trade Union and Labour Relations (Consolidation) Act 1992, to advise you that the result of the above aggregated Ballot, with the following required questions:

Question 1 "ARE YOU PREPARED TO TAKE PART IN INDUSTRIAL ACTION CONSISTING OF ACTION SHORT OF STRIKE ACTION IN PURSUIT OF THE NATIONAL PAY CLAIM 2021-22 DISPUTE?" was as follows:-

I. the number of individuals entitled to vote in the ballot; 4670
II. the number of votes cast in the ballot; 2425
III. the number of individuals answering "Yes" to the required question; 2155
IV. the number of individuals answering "No" to the required question; 259
V. the number of spoiled or otherwise invalid voting papers returned; 11
VI. whether or not the number of votes cast in the ballot is at least 50% of the number of individuals who were entitled to vote in the ballot, YES

Question 2 "ARE YOU PREPARED TO TAKE PART IN INDUSTRIAL ACTION CONSISTING OF STRIKE ACTION IN PURSUIT OF THE NATIONAL PAY CLAIM 2021-22 DISPUTE?" was as follows:-

I. the number of individuals entitled to vote in the ballot; 4670
II. the number of votes cast in the ballot; 2425
III. the number of individuals answering "Yes" to the required question; 1766
IV. The number of individuals answering "No" to the required question; 644
V. the number of spoiled or otherwise invalid voting papers returned; 15

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General Secretary · Larry Flanagan

VI. whether or not the number of votes cast in the ballot is at least 50% of the number of individuals who were entitled to vote in the ballot, YES

A copy of the Scrutineer's report is enclosed.

We believe that the above result gives the EIS a mandate for industrial action consisting of strike action and action short of strike action, should it choose to do so.

Yours sincerely

Larry Flanagan
General Secretary
Enc

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Independent Scrutineers Report

31 March 2022

INDUSTRIAL ACTION BALLOT – EIS

TRADE DISPUTE WITH FURTHER EDUCATION LECTURERS ASSOCIATION

Our independent scrutineers' report, as required in accordance with section 231B of the Trade Union and Labour Relations (Consolidation) Act 1992, for the above ballot which closed at **Noon** on **Thursday, 31 March 2022**, is as follows:-

Number of individuals who were entitled to vote in the ballot	**4,670**
Number of votes cast in the ballot	**2,425**
Votes cast in the ballot as a % of individuals who were entitled to vote	**51.9%**

Question: Are you prepared to take part in industrial action consisting of action short of strike action in pursuit of the National Pay Claim 2021-22 dispute?

Number of spoilt or otherwise invalid voting papers returned	**11**

Result of Voting

Yes	**2,155**	**89.3%**
No	**259**	**10.7%**

We are satisfied:

a) that there are no reasonable grounds for believing that there was any contravention of a requirement imposed by or under any enactment in relation to the ballot

b) that the arrangements made with respect to the production, storage, distribution, return or other handling of the voting papers used in the ballot, and the arrangements for the counting of the votes, included all such security arrangements as were reasonably practicable for the purpose of minimizing the risk that any unfairness or malpractice might occur,

c) that we have been able to carry out the functions conferred on us under section 226B(1) without any interference from the trade union or any of its members, officials or employees.

We would draw your attention to subsection 231B (2) which requires that, for a six month period starting from the date of the ballot, a copy of this report be made available, on request, to any person who was entitled to vote in the ballot and the employer of any such person. A reasonable fee may be charged for this service.

Civica Election Services

31 March 2022

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INDUSTRIAL ACTION BALLOT – EIS

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Votes cast in the ballot as a % of individuals who were entitled to vote	**51.9%**

Question: Are you prepared to take part in industrial action consisting of strike action in pursuit of the National Pay Claim 2021-22 dispute?

Number of spoilt or otherwise invalid voting papers returned	**15**

Result of Voting

Yes	**1,766**	**73.3%**
No	**644**	**26.7%**

We are satisfied:

a) that there are no reasonable grounds for believing that there was any contravention of a requirement imposed by or under any enactment in relation to the ballot

b) that the arrangements made with respect to the production, storage, distribution, return or other handling of the voting papers used in the ballot, and the arrangements for the counting of the votes, included all such security arrangements as were reasonably practicable for the purpose of minimizing the risk that any unfairness or malpractice might occur,

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