

**Scottish Terms And Conditions (STAC) Committee:
Minute of Meeting**

**Wednesday 21 December 2011, 3.30 pm.
Europa Building, Glasgow**

Present:

Employers:

**Trade Unions and
Professional Organisations:**

George Brechin – (Co Chair) In Chair - NHS Fife	Elizabeth Stow – (Co Chair) – SoR
Laura Ace – NHS Lanarkshire	Willie Duffy – (Staff Side Secretary) - UNISON
Annie Buchanan – NHS Fife	Lisa Cameron - Unite
John Burns – NHS Dumfries & Galloway	Gordon Casey, Unite
John Cowie – Scottish Government	Philip Coghill - RCN
Helen Kelly – NHS Forth Valley	John Gallacher - UNISON
Alex Killick – NHS Tayside	Gordon McKay - UNISON
Patricia Leiser – West Region Planner	Cathy Miller - UNISON
Janis Millar – Management Steering Group	Graham Pirie – SCP
Caroline Sharp – NHS Dumfries & Galloway	Colin Poolman - RCN
	Norman Provan - RCN
	Clare Ronald - CSP
	Tom Waterson – UNISON

Secretariat: Colin Cowie – Scottish Government Health Department
Dave Watson – Scottish Government Health Department

1. Apologies

Employers	Alan Boyter, Robert Calderwood, Brian Cowan, Ruth Kelly, Rona King, Pamela McLauchlan, Ian Reid, Mark Sinclair, Malcolm Wright
Trade Unions & Professional Organisations	Ron Banton, Wilma Brown, Lillian Macer, Brian McCann, Brian McDonald, Joe McIlwee, Alex McLuckie, Patricia McNally, Jackie Mitchell, Donald Sime

2. Minutes and Actions of Previous Meeting (13 September 2011)

Colin Poolman highlighted that he had been at the meeting but was not listed as an attendee. This was noted. Otherwise, the minute and action points were agreed as an accurate record.

3. Matters to Report

(a) Mileage Review

Staff Side advised that the UK Staff Side intended to outline the nature of the objections they had to the deal which was currently on the table at the next Staff Council meeting in January. Employers acknowledged this and made the point that it will be important to give people as much notice as possible of the changes which are scheduled for 2013.

(b) Equal Pay

Staff side reported that they are considering the implications of the recent Equal Pay Tribunal ruling in Scotland.

(c) Review of Scottish Recruitment and Retention Premia (RRP)

Further to the agreement to review the two RRPs put in place as a result of Scottish agreements, it was reported that the Working Group had already met to discuss the Medium Secure Unit RRP. A remit for these discussions had been circulated and was agreed by the Committee. The remit will involve seeking views from the three Boards which are currently paying this RRP, and then considering options once these views had been received.

Action: Working Group

A report has been requested from NHS Western Isles regarding the RRP in place there, and this will also be considered once received.

Action: Secretariat

(d) Annex O

At the Working Group meeting on 22 September it was agreed that it would not be feasible to put in place a national policy on Minimum Periods of Notice. The Committee noted this. The Group had previously agreed that an updated

Annual Leave policy reflecting the consensus approach to Carry Over should be published and this had now been done in the form of CEL 31(2011).

(e) Dates for 2012 meetings

The list of meeting dates which had been circulated for next year was agreed.

(f) Scottish Pension Group (SPG) Minutes

With the minutes of the SPG now being a standard item for reporting at STAC, the last three approved sets of minutes were circulated with the papers for this meeting and were noted.

(g) Day of Action Guidance

The Employer Side thanked Staff Side for their constructive approach towards the day of action on 30 November and appreciated their cooperation with management to ensure that essential and emergency services were not disrupted. Staff Side commented that this cooperation was possible because of the well developed partnership structures which exist in Scotland.

The Committee noted the issue of a circular advising that money should not be withdrawn from salaries of striking staff until the January pay run, and Employers gave their view that this withdrawal should be on the basis of actual hours due to have been worked. Staff Side registered disappointment at this approach and said they would have preferred the deduction to be 1/365th of salary, but accepted the methodology put forward by Employers. Staff Side stated a desire to obtain greater knowledge of payroll procedures and it was agreed that a meeting between Staff Side representatives and payroll staff should be set up.

Action: Secretariats

4. Matters for Discussion

(a) Protection of Vulnerable Groups (PVG) Payments

The Cabinet Secretary had indicated that she would like the Working Group to explore options where only staff earning over £21,000 would be obliged to pay the fee. This was put to Staff Side at the 21 November Working Group meeting. Staff Side, however, remain of the view that Employers should cover all costs and cited a recent letter from DG Health & Social Care to Allied Health Professions Federation Scotland concerning the scheme which Staff Side believe indicated that employers should cover these costs. Employers asked to see a copy of this letter and advised that they would respond in due course once in possession of all the facts.

Action: Scottish Government and Employers

(b) Pensions - Remit of Scottish Pensions Group (SPG)

Secretariats had circulated a paper concluding that the remit of SPG remained fit for purpose, although some changes of Group membership may be required to strengthen STAC involvement. The paper further suggested that any Scottish level negotiations around the current changes to NHS pensions should be conducted by a group convened by STAC. The Committee noted and agreed the approach proposed in the paper.

Staff Side were keen to move forward with this group, taking the view that Scottish level discussions will be necessary. The Scottish Government representative at the meeting pointed out that the Cabinet Secretary would need to come to a view on the approach to be taken in Scotland before any group could start talks. It was agreed, however, that the Secretariats should begin discussing group membership.

Action: Secretariats

(c) STAC Remit

Although a set of changes had been agreed at the last meeting, Staff Side had suggested a further amendment which would allow issues to be referred back to local NHS systems when STAC had failed to agree and a referral to ACAS had not produced any resolution. Staff Side argued that this would only be for specifically local issues, whereas Management Side felt that this amendment could undermine consistency across NHSScotland. It was agreed that further discussions would take place in an effort to find a form of words acceptable to both sides.

Action: Employers & Staff Side

(d) Job Evaluation Group

The Working Group set up to look at mainstreaming job evaluation work had submitted a paper to the Committee setting out the issue in more detail and recommending that the Group should continue to meet and report back to STAC. It was also agreed that the Group should consult all Boards requesting their views on this proposed approach before reporting back.

Action: Job Evaluation Working Group

(e) On-Call Review

Employers had put two options to the Staff Side at the 16 December Working Group meeting. Staff Side confirmed that they would respond formally in due course.

Action: Staff Side

More generally, Staff Side indicated that they were disappointed with the offers, particularly in respect of protection for those staff who would lose out. Staff Side took the view that indefinite mark time protection should apply in line with the agreement made with Malcolm Chisholm in 2003. Unison representatives at the meeting said that if the offer did not improve then there is a possibility that their members could withdraw from on-call working.

Employers noted and understood the frustration which they shared; difficulties in establishing costs had delayed their work. They also added that around 50% of on call work was contractual and that there would be a necessity to protect emergency cover. It was agreed that a small number of members from each side of the Working Group would meet to consider the figures and the modelling and that Employers would explain how they had arrived at the options they had put forward.

Action: Employers & Staff Side

5. AOB

The Chair highlighted that Alex Killick was soon to move to a post outside the NHS and that this was therefore his last STAC meeting. The Committee joined the Chair in registering its thanks for his contribution to STAC over the years.

6. Date of Next Meeting

28 March 2012.

Dave Watson, STAC Secretariat

Action Points

Agenda Subject	Action	Action Officer(s)	Update
Scottish RRP (Medium Secure Unit)	Obtain feedback from 3 Boards currently paying the MSU RRP and consider options	Working Group	Working Group to report to next STAC with recommendation.
Scottish RRP (Western Isles Pharmacist)	To consider Report from Western Isles	Secretariats	Update sought from Board.
Day of Action – Payroll Processes	To set up meeting for staff side to gain greater knowledge of payroll processes	Secretariats	Meeting still to take place
Protection of Vulnerable Groups Payments	To clarify information in letter from DG Health	Scottish Government and Employers	Done. Employers to write to Staff Side clarifying position.
Pensions	To collect names to populate a group which would discuss reforms in Scotland	Secretariats	Both sides working towards agreeing Negotiating Group at next STAC
STAC Remit	To continue discussing wording	Employers and Staff Side	Staff side to submit revised wording for STAC
Job Evaluation Group	To form a Group, draft a remit and seek views from Boards via a letter	Job Evaluation Working Group	Data being gathered. Further Working Group meeting took place on 16 March.
On-Call Review	To respond formally to offer	Staff Side	Staff side responded. Discussions continue.
On-Call Review	To set up meeting to allow staff side to examine the figures and the modelling which lay behind the offers	Employers and Staff Side	Done