

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

**Thursday 27 September 2012, 11 am
Europa Building, Glasgow**

Present:

Employers:

**Trade Unions and
Professional Organisations:**

Robert Calderwood – (Co Chair) – In Chair - NHS Greater Glasgow and Clyde	Elizabeth Stow – (Co Chair) – SoR
Alan Boyter- NHS Lothian	Willie Duffy – (Staff Side Secretary) - UNISON
John Burns - NHS Ayrshire and Arran	Ron Banton - BDA
Clare Hicks – Scottish Government	Wilma Brown - UNISON
Rona King - NHS Fife	Gordon Casey, Unite
Patricia Leiser - NHS Ayrshire and Arran	John Kelly - GMB
Ian Reid - NHS Greater Glasgow and Clyde	Lilian Macer - UNISON
Caroline Sharp – NHS Dumfries & Galloway	Christine McAnea - UNISON
	Graham Pirie – SCP
	Colin Poolman - RCN
	Norman Provan - RCN
	Clare Ronald - CSP
	Donald Sime - Unite
	Tom Waterson – UNISON

Secretariat: Colin Cowie – Scottish Government Health Department

1. Apologies

Employers	Laura Ace Annie Buchanan, Brian Cowan, Ruth Kelly, Pamela McLauchlan, Janis Millar, Mark Sinclair, Malcolm Wright
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Trade Unions & Professional Organisations	Lisa Cameron, Philip Coghill, John Gallacher, Brian McCann, Brian McDonald, Gordon McKay, Joe McIlwee, Alex McLuckie, Patricia McNally, Cathy Miller, Jackie Mitchell
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The Chair noted that Christine McAnea of UNISON and the UK Staff Council was attending as an observer and welcomed her to the meeting.

2. Minutes and Actions of Previous Meeting (28 March 2012)

The Minutes and Action Points were agreed as an accurate record, except for the section on Accrual of Public Holiday During Maternity Leave. Staff Side highlighted that the issue they had raised was about contractual entitlement rather than consistency. It was agreed to change the minute to reflect this.

Action: Scottish Government

PVG - Employers outlined their position which was that Boards would pay registration fees up to Band 4, but that staff would pay at Band 5 and above. They confirmed that they were seeking authority through Management Steering Group to agree an approach whereby Boards would pay the fees according to the Disclosure Scotland timetable whilst getting relevant staff to sign mandates which would see the funding being recovered on or after 1 April 2015, when registration was required by law.

Staff Side clarified, however, that they did not accept that any staff should have to pay their own registration fees and wished to see the Working Group reconvene as soon as possible. They highlighted that they had written to Employers on this matter but had not received a reply yet. They made the point that they may advise their members not to cooperate with the registration process and asked that no mandates be sent to staff pending further discussions.

Whilst feeling that the Cabinet Secretary's expressed view constrained the options available, Employers said they were content to re-convene the Working Group, and to suspend the issuing of any fresh mandates. However, they made the point that there are capacity issues which mean that Boards have to work within Disclosure Scotland's timetable and asked the Staff Side to work with them to complete registration for Bands 1 to 4.

Action: Secretariats

Living Wage - Staff Side noted that Employers had agreed not to use the bottom pay point of the Agenda for Change pay scale in 2012-13 even though this was above the Scottish Living Wage level. They sought a formal agreement that the bottom pay point would not be used in NHSScotland as a matter of policy and Employers agreed to this.

3. Matters to Report

(a) Mileage Review Circular

A circular - CEL(2012)34 - had been published alerting staff to the change which is due to take place in 2013. Staff Side commented that they were still seeking discussions at Staff Council level around concerns they had with the agreement.

(b) Equal Pay

A key test case had been lost by the claimants recently and their representatives would have 4 to 5 weeks to confirm whether they would appeal. Staff side estimated there were now around 1,000 live cases left in Scotland and reiterated their request to have partnership discussion around how to approach these. Employers noted the request.

(c) Scottish Pension Group (SPG) Minutes

Scottish Pensions Group meetings have been suspended while the STAC Pensions Negotiating Group is in operation. There were therefore no further ratified minutes beyond those circulated for the last STAC meeting.

(d) Accrual of Public Holidays During Maternity Leave

Employers confirmed that they intended to tell all Boards to move to the European Working Time Legislation level of 28 total days (Annual Leave and Public Holiday) entitlement for staff on maternity leave.

Staff Side, however, continued to believe that staff on Maternity Leave were entitled to accrue the full Public Holiday entitlement provided for in their terms and conditions. They expressed concern over confusion which had occurred at local level about whether the issue was actually being discussed at a national level in partnership or not, and sought the formation of a Working Group to consider the matter through STAC.

Employers agreed to set up a Working Group. They confirmed they intended to resolve any outstanding disputes at the 28 day level, but that this would be without prejudice to any future agreement reached through STAC, which could be backdated, as appropriate.

Action: Secretariats

(e) Working Longer Group

It was confirmed that all sides had now nominated participants for this Group. The Employer representative would not be available for the first meeting on Friday 28 September, so alternative arrangements would be made.

(f) Terms and Conditions Issues

Staff Side welcomed the opportunity to meet with payroll staff and discuss specific terms and conditions issues. All sides were clear, however, that any negotiations would take place under the aegis of STAC.

(g) RRP Applications

STAC has now received a total of 5 applications for RRP payments for qualified maintenance craftspeople. There were three for consideration at today's meeting from Grampian, Highland and Shetland. These were all approved.

Staff Side raised a related issue about the protection of pension benefits for staff losing RRPs as part of the national agreement. In England, this protection is arranged through the employer, but in Scotland the individual is obliged to apply themselves. This issue had been raised with SPPA who had commented that a different computer interface existed in England between Employers and the Pension Agency and that the Scottish approach had already been agreed through the Technical Working Group.

Both Staff Side and Employers, however, felt it would be helpful if Employers could arrange the relevant protection and it was agreed that this option should be explored.

Action: Secretariat/Employers

4. Matters for Discussion

(a) On-Call Review

The Committee was informed that the Working Group had now arrived at an agreement and that an EQIA on the policy had been produced. Whilst it was noted that the Working Group was due to finalise the wording of the associated Q&A, both sides indicated they were content to sign off the agreement.

It was agreed that a circular should be produced at the first opportunity for clearance by both sides.

Action: Working Group / Scottish Government

Staff Side highlighted that it would be necessary for discussions to take place locally around implementation, and asked if Management Steering Group could send a letter to Boards on this issue. Employers agreed to consider what they could usefully do in this area.

Action: Employers

(b) Pensions Negotiating Group

A Report on the work of the NHS Pensions Negotiating Group had been submitted to STAC for approval and the Committee accepted this, although it

was noted that a response would be required to the letter which the Group had sent to the Scottish Government seeking clarity around Normal Pension Age flexibility before further significant progress could be made in relation to future NHS pensions design.

AOB

Volunteering for the Commonwealth Games - Some staff may wish to volunteer to work at the Commonwealth Games. Staff Side said they would like to see early discussions take place with a view to issuing guidance around this. Employers confirmed that they would be happy to work with Staff Side on guidance. They suggested that these discussions should follow on from a meeting which NHS Greater Glasgow and Clyde representatives were due to have with London NHS Trust contacts in the near future. This would give Scotland the chance to build on the experience of London during the Olympics. All sides agreed that this was a sensible sequence of events.

5. Date of Next Meeting

19 December 2012.

Colin Cowie, STAC Secretariat

Action Points

Agenda Subject	Action	Action Officer(s)	Update
Minutes and Actions of Previous Meeting	To alter minute to reflect "contractual" issue	Scottish Government	Done
Minutes and Actions of Previous Meeting	To reconvene PVG Working Group	Secretariats	Done
Accrual of Public Holidays During Maternity Leave	To set up Working Group	Secretariats	To be considered as part of terms and conditions discussions
Terms and Conditions Issues	To arrange meeting between management, payroll and staff side representatives	Secretariats	Meeting took place. Management have written to Staff Side. Staff Side considering.
Terms and Conditions Issues	To arrange demonstration of new payroll system	Secretariats	Decision taken to arrange this at a later date.
RRP Applications	To look in to whether it will be possible for employers to arrange pensions protection	Secretariats / Employers	Situation still to be confirmed.
On-Call Review	To produce circular	Working Group / Scottish Government	Done
On-Call Review	To look at what MSG could usefully send to employers	Employers	Issue now being taken forward at Board level.