

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

**Wednesday 19 December 2012, 11 am
Victoria Quay, Edinburgh**

Present:

Employers:

**Trade Unions and
Professional Organisations:**

Robert Calderwood (Co Chair) - NHS Greater Glasgow and Clyde	Elizabeth Stow (Co Chair) – In Chair - SoR
Rona King (Employer Side Secretary) NHS Fife	Willie Duffy – (Staff Side Secretary) - UNISON
John Burns - NHS Ayrshire and Arran	Ron Banton - BDA
Anne Buchanan - NHS Fife	Wilma Brown - UNISON
Helen Kelly - NHS Forth Valley	Gordon Casey - Unite
Patricia Leiser - NHS Ayrshire and Arran	Philip Coghill - RCN
Janis Millar - MSG	John Gallacher - UNISON
Caroline Sharp – NHS Dumfries & Galloway	Lilian Macer - UNISON
	Cathy Miller - UNISON
	Jackie Mitchell - RCM
	Graham Pirie – SCP
	Colin Poolman - RCN
	Norman Provan - RCN
	Donald Sime - Unite
	Tom Waterson – UNISON

Secretariat: Sarah Manson, Colin Cowie – Scottish Government Health Department

1. Apologies

Employers	Laura Ace, Alan Boyter, Annie Buchanan, Helen Kelly, Ian Reid, Malcolm Wright
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Trade Unions & Professional Organisations	Brian McCann, Brian McDonald, Gordon McKay, Joe McIlwee, Alex McLuckie, Clare Ronald
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2. Minutes and Actions of Previous Meeting (28 March 2012)

The Minutes and Action Points were agreed as an accurate record, although it was noted that the “Apologies” list should be reviewed to remove people who were no longer part of the Committee.

Staff Side raised a question about RRPs and Variation Orders in relation to an application which NHS Lothian was currently considering making. They noted that Lothian’s situation had been discussed at MSG and wished to clarify what guidelines were in place for making formal applications for Variation Orders.

It was noted that requests for Variation Orders were made to the Cabinet Secretary and were not a STAC matter, but that when an application is made to the Scottish Government, views are sought from both Employer and Staff Side. It was agreed that the guidance on this would be circulated to members of STAC and that lists of RRPs and Variation Orders currently in place should be compiled and circulated to the Committee, for information.

Action: Scottish Government

Staff Side referred to the Action Point about pension protection for staff losing NRRPs. Scottish Government representatives confirmed that, as of the most recent available data, 35% of eligible staff were yet to apply for protection. All sides agreed that measures should be put in place to stop people slipping through the cracks and it was confirmed that SPPA intend to assess the situation in due course and take any necessary steps to prevent this. Scottish Government officials agreed to liaise with SPPA and report back to the Committee.

Action: Scottish Government

Referring to the new on-call provisions which had been agreed and were being put in place, Staff Side wished to confirm that Employers would not seek to recover any overpayment which had been made due to the process of implementation. The Joint Chairs of the On-Call Working Group agreed to discuss this in partnership following the meeting with a view to arriving at an agreed position.

Action: Joint Chairs of Working Group

Staff Side referred to an issue in NHS Orkney where staff have been working under the provisions of a Variation Order which would not form part of the protection arrangements. Staff had lodged a grievance around this locally and had threatened to withdraw from on-call working. It was noted that protection arrangements did not apply to variation orders. Employers made the point that this was first and foremost a matter for NHS Orkney management but agreed to liaise with the Board with a view to discussing the situation.

Action: Employer Secretariat

3. Matters to Report

(a) Equal Pay

Staff Side stressed their belief that there only remained a small number of claims, and that these were not of a high value, and wished to have partnership discussions about how to deal with these. Employers acknowledged that things had moved on considerably but highlighted that there is still a legal process going on and that this had not yet yielded any outcomes on which partnership discussions could be based, and so did not yet feel that the time was right for the matter to be addressed by STAC.

(b) Scottish Pension Group (SPG) Minutes

The minutes of 23 March 2012 were noted.

(c) Accrual of Public Holidays During Maternity Leave

Employers confirmed that they had now had further discussions around this issue and that the intention was to move to the accrual of the Public Holiday entitlement with effect from April 2012.

Action: Employers

(d) Terms and Conditions Issues

It was confirmed that a meeting had taken place and that some progress had been made on the list of technical issues which had been submitted by Payroll colleagues. Staff Side said they were considering the list of responses provided by Employers and it was agreed that the Secretariats would keep this in sight with a view to setting up a further meeting in the New Year.

Action: Secretariats

(e) Volunteering for Commonwealth Games

Employers confirmed that representatives of NHS Greater Glasgow and Clyde had met with management from London NHS Trusts to discuss their experience of the Olympics. Based on these observations, Employers wished to be as flexible as possible with staff on issues such as annual leave for volunteering and tickets. It was confirmed that there would be no additional paid leave for volunteers. They confirmed that they would look to devolve responsibility for managing the detail to the lowest level of management as this is where the practicalities around maintaining rotas etc would need to be addressed.

Staff Side asked if a joint guidance document could be developed. Employers said they would be content to work on this with Staff Side but noted that this would have to be in terms of broad principles and that they would not wish it to be too prescriptive or specific. It was agreed that the Secretariat would draft initial guidance.

Action: Secretariats

(f) PVG Registration Fees

It was noted that Staff Side had written to the new Cabinet Secretary on this issue and that how the Committee moved forward would depend on the answer to that letter.

(g) Auto-Enrolment

Employers clarified that whilst the Scottish Government was supportive of staff being in pension schemes, it remained for individual employers to agree through local partnership mechanisms whether to auto-enrol staff in 2013 or use the "Transition" mechanism which would move the process to 2017. It was confirmed that NHS Greater Glasgow and Clyde and NHS Lothian (who were due to be first to auto-enrol according to the agreed timetable) both intended to take papers to their Boards on this issue in the near future.

Staff Side enquired if there would be a Scotland wide approach and Employers commented that this would be clearer once Glasgow and Lothian had considered. Staff Side wished to put on record their position which was that there should be a Scotland wide approach and that they were not in favour of Transition.

If Transition was employed, all sides agreed that a campaign should be run to publicise the benefits of being in the NHS Pension Scheme.

(h) Injury Benefits

The UK Injury Benefits Review had now issued a consultation document and the Committee was informed that this consultation would run till 21 January.

4. Matters for Discussion

(a) Pensions

The Pensions Negotiating Group had been suspended pending clarification of the situation around contribution increases and Normal Pension Age. This had now been provided and it was clear that the Group had little room for maneuver on these issues. It had been agreed to hold a further meeting of the Group on 14 January to assess where the Group stood in the light of this information.

(b) Scotland Wide Matching Panel

Staff Side said they had received complaints about banding inconsistencies in specific Boards and wished to see this looked at through STAC. Employers agreed to set up a group to examine the issue and both sides undertook to submit suitable names.

Action: Secretariats

(c) Meeting Dates 2013

The Committee noted and approved the dates for 2013 which had been circulated.

5. Date of Next Meeting

12 March 2013.

Colin Cowie, STAC Secretariat

Action Points

Agenda Subject	Action	Action Officer(s)	Update
Minutes and Action Points	Share Protocol for dealing with Variation Orders and make up lists of RRP's and VO's	Scottish Government	Done
Minutes and Action Points	To report on position with protection for staff who have lost RRP's	Scottish Government	Relevant information being passed to Boards for action
Minutes and Action Points	To reach agreement on the approach to recovery of overpayments during implementation of new on-call provisions	Joint Chairs of Working Group	Done
Minutes and Action Points	To contact NHS Orkney to assist in resolving issues around loss of VO	Employer Secretariat	Done
Accrual of Public Holidays During Maternity Leave	To inform service of agreed Scotland wide position	Employers	Done
Terms and Conditions Issues	To arrange further meeting of Working Group	Secretariats	Done – list of agreed positions to be issued.
Volunteering for Commonwealth Games	To work up joint guidance	Secretariats	On-going – guidance currently being drafted.
Scotland Wide Matching Panel	To form Working Group	Secretariats	Done