

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

**Thursday 17 December 2008, 11.00 am,
Victoria Quay, Edinburgh**

Present:

Employers:

Trade Unions and Professional Organisations:

George Brechin (Co-chair) - In Chair - NHS Fife	Willie Duffy - (Staff Side Secretary) - UNISON
Jim Cameron - (Employer Secretary) - MSG	Ron Banton - BDA
John Burns - NHS Dumfries and Galloway	Michael Fuller - Unite
Robert Calderwood - NHS Greater Glasgow and Clyde	John Gallacher - UNISON
Colin McGowan - Management Steering Group	Lilian Macer - UNISON
Janis Millar - Pay Modernisation Unit	Brian McCann - GMB
Ian Reid - NHS Greater Glasgow and Clyde	Brian McDonald - Unite
Caroline Sharp - NHS Dumfries and Galloway	Debbie O'Rourke - BDA
	Colin Poolman - RCN
	Elizabeth Stow - SoR
	Tom Waterson - UNISON

Secretariat: John Hannah - SGHD, Colin Cowie - SGHD

1. Apologies

Employers	Laura Ace, Alan Boyter, Steve Conway, Brian Cowan, Lynne Khindria, Gerry Marr, Chris Murphy, Mark Sinclair, Rona Webster, Paul Wilson
Trade Unions & Professional Organisations	Philip Coghill, Fiona Farmer, Jimmy Farrelly, Glyn Hawker, Douglas Lockhart, Catherine Mackay, Alex McLuckie, Graham Pirie, Stephen Smith, Anne Thomson

2. Minute of Previous Meeting

The minute and action points were agreed as an accurate record of the last meeting.

3. Matters to Report

a) Payment During Periods of Annual Leave

The Committee had already agreed that staff who may have been disadvantaged by the delay in implementing the new arrangements covering payments made to staff during periods of annual leave should receive a "one-off" compensatory payment.

Prior to the last STAC, employers had written to staff side offering to increase the "in lieu of leave" payment from 11.59% to 12.5% for the six months from 1 April to 30 September 08. Staff side had accepted this offer with two provisos: one in relation to on-call payments being included in future calculations and the other that staff would have the right to request an individual calculation if they felt they had been disadvantaged.

Employers subsequently wrote to the staff side accepting the on-call principle on the grounds that payroll had already included this in previous calculations but rejecting the right to an individual calculation. Staff side were reminded that the sub group had proposed, in partnership, that the 12.5% payment to all who had previously received the 11.59% was to ease the burden on both line managers and payroll in attempting to undertake individual calculations.

Staff side confirmed that they were willing to accept that the 12.5% covers everyone with no further right to request an individual calculation. However, they requested further discussion around the on-call issue to make sure that everyone understood the principles which were being agreed. They made the point that guidance should be issued, if necessary. Staff side referred to correspondence which had been disseminated within NHS Lothian which they felt was relevant to this issue.

It was agreed that staff side would supply a copy of the NHS Lothian correspondence to which they referred.

Action: Staff Side

It was further agreed that, once employers had had a chance to study the information supplied by the staff side, the secretariats should discuss the matter and reach an understanding on what was being agreed.

Action: Staff and Employer Secretariats

b) Pay Protection

It was noted that a circular had now been issued to the service detailing the agreement which had been reached within the pay protection sub group that staff on organisational change protection should have their salaries increased in line with Agenda for Change pay rates.

This left four outstanding issues which the pay protection group had been set up to discuss and employers had written to staff side setting out their position on each of these. Three of the claims the staff side had made were rejected by

call), employers had proposed that Agenda for Change rates should be paid from 1 January 2009 but not retrospectively.

Staff side expressed disappointment at the employers stance on three of the issues but accepted that this would not be pursued further. However, whilst pleased to note that employers were now willing to pay staff at AfC rates, they did not feel able to accept the employer side proposal relating the implementation date. They had hoped that employers would have discussed with staff side and wanted to see further discussions take place within the Working Group.

Employers agreed to reflect on staff side's comments and respond in due course.

Action: Employers

c) Medium Secure Unit Allowance

It was reported to the Committee that good progress was being made on this issue. It was agreed that a further meeting of the Group involving all sides should take place early in the new year.

Action: Admin Secretariat

h) JEMG 2

This Group is due to meet again on 5 February. It was suggested that a final report on the activities of this Group should be produced once it had concluded its business. The Committee approved this suggestion and looked forward to seeing this in due course.

Action: JEMG 2 Working Group

i) Unsocial Hours in the Scottish Ambulance Service

Staff side confirmed that discussions were ongoing around reaching an agreement for moving Scottish Ambulance Service staff to the Agenda for Change unsocial hours arrangements. They confirmed there was currently an offer on the table which T&G and Unite had consulted their members on. They also confirmed, however, that Unison had not consulted their members as they felt the deal was unsafe on equal pay and discrimination grounds. Staff side felt there was a need to amend the current proposal on offer.

Employers felt the current proposal was defensible and indicated they were happy to get together again as a group to discuss both the defensibility of the current proposal and to agree a way forward. It was agreed that the Working Group would be reconvened as soon as possible.

Action: Admin Secretariat

j) Agenda for Change Update

The Committee noted the information in the update and in particular the more detailed information which had been provided around reviews.

Consideration was given to whether it would be helpful to set some form of completion timetable for reviews. Following discussion which recognised current difficulties and pressures in the system, however, it was felt work should proceed as quickly as possible to complete the review process without setting timescales which may not be achievable.

The point was also made that there should be some acknowledgment of the hard work of the people who have been involved in assimilation around the country for the last four years and who continue to take on a challenging workload.

The Committee endorsed this view and wished to formally record its thanks for the effort and commitment of all staff involved in implementing Agenda for Change.

k) Equal Pay

It was noted that the Newcastle cases had been adjourned until Spring and that no progress could be made until the outcome of these were known.

l) Annex T

A further meeting of the Working Group had taken place on 20 October and it was agreed that a letter would be sent to Boards seeking information on the application of HDL(2007)02 around the country to inform a further meeting of the Group.

Action: Employers

m) Chaplains

A meeting to discuss the issue of part time sessional chaplains with the Church of Scotland had been arranged for after the main STAC.

N) Pensions

The secretariat of the Scottish NHS Pension Review Group (SPensiR) had provided briefing to STAC detailing the up to date position on the work they had taken forward. As NHS pension reform work had now been concluded, SPensiR had been reconstituted as the Scottish NHS Pension Group (SPG) and information had also been provided on the remit and membership of this group. The Committee noted these papers and recognised the hard work and commitment of SPPA in taking this work forward.

o) Less than 1 in 12 On-Call

It had been agreed by the secretariats that the effective date of the provisions set out in PCS(2008)6 should be changed to 1 October 2004. The Committee agreed that a circular should be sent out to the service confirming this.

Action: Admin Secretariat

4. Matters for Discussion

a) Meeting Dates for 2009

Given the way the Committee had been operating in the latter half of 2008, the secretariats had felt that it was appropriate to move to quarterly meetings in 2009. A revised set of meeting dates had therefore been circulated and the Committee noted these and agreed this change.

b) RRP for Joiners

Employers confirmed to the Committee that they were still awaiting data on current labour market conditions and were therefore not yet in a position to respond to staff side's claim for a RRP for Joiners. They undertook to respond by the end of January 2009.

Action: Employers

Although it was not on the agenda, the Committee noted the recent announcement of the NHS Pay Review Body's decision not to recommend re-opening negotiations on the current three year Agenda for Change pay deal.

The Chairman finished the meeting by wishing all members of the Committee a happy Christmas and New Year.

5. Date of Next Meeting:

**Wednesday 25 March 2009,
11.00am
St Andrews House,
Edinburgh**

Agenda Subject	Action	Action Officer(s)
Payment During Periods of Annual Leave	To supply Lothian circular	Staff Side
Payment During Periods of Annual Leave	To clarify agreement around on-call	Staff and Employer Secretariat
Pay Protection	To reflect on staff side's comments and respond	Employers
Medium Secure Unit Allowance	To set up further meeting of the Group	Admin Secretariat
Unsocial Hours in the Scottish Ambulance Service	To set up further meeting of the Group	Admin Secretariat
Less than 1 in 12 On-Call	To issue circular setting effective date of provisions in PCS(2008)6 as 1 October 2004	Admin Secretariat
Annex T	To write to Boards seeking information on application of HDL	Employers
RRP for Joiners	To respond to staff side claim	Employers

Colin Cowie
STAC Secretariat