

## Terms and Conditions Committee: Minute of Meeting

Wednesday 14 September 2005, 1.30pm, Stirling Royal Infirmary

### Present:

#### Trade Union & Professional Organisations:

Glyn Hawker - UNISON (in chair)  
Catherine MacKay - UNISON  
Colin Poolman - RCN  
Elizabeth Stow - SOR  
Gillian Lenaghan - RCM  
Jimmy Farrelly - TGWU  
Lilian Macer - UNISON  
Michael Fuller - AMICUS  
Patricia McNally - CSP

#### Employers:

George Brechin - NHS Fife  
Gordon Birnie - NHS Fife  
Ian Reid - NHS Greater Glasgow  
Jim Cameron - NHS Greater Glasgow  
Laura Ace - NHS Dumfries & Galloway  
Robert Calderwood - NHS Greater Glasgow  
Rona Webster - NHS Fife  
Steve Conway - NHS Orkney  
Alex Killick - SEHD  
Colin McGowan - SEHD  
[David Renshaw - Pay Modernisation Team]  
- is he management side - thought he was in attendance?

**Secretariat:** Vicki Larkin - Partnership Support Unit

**Apologies:** Alan Boyter, John Burns, Brian Cowan, Eddie Egan, John Matheson, Jim McCaffery, Janis Millar [Not management side], Gordon Walker, Gordon Wenham, Gerry Marr, Elinor Smith, Jacqui Jones

### 1. Introduction

Glyn Hawker opened the meeting introducing herself as the new Chair of the Trade Unions and Professional Organisations.

As the meeting started later than scheduled, the start time of committee meetings was raised and agreed that a discussion would take place at the end of the meeting.

### 2. Note of the last meeting

The Chair pointed out to the committee that as the last scheduled meeting had not been quorate there was no minute. There was however a note of a meeting between staff side representatives and PSU secretariat which had reviewed agenda items; it was agreed to note this but work through it as "matters arising". It was also noted that discussion around the RCM Claim for remuneration in respect of supervisors had been missed from the note.

It was also noted that Item 3 should be "Introduction to the Service".

### **3. Matters Arising**

#### **3.1 Payroll Officers Claim**

The committee were informed that a small group had met on 29<sup>th</sup> August. Unfortunately there was some confusion on both sides to what the meeting was set up to discuss, The Employers were there to discuss the Assimilation Resource Solution and the Trade Unions and Professional Organisations were there to discuss the Payroll Officers Claim.

UNISON said that they need a decision made around the claim as soon as possible as there are received considerable concern from their members.

The Partnership Support Unit is currently arranging a meeting for the 21<sup>st</sup> September to discuss both issues. It was agreed that it should be two separate meetings on the same day as there will be a difference in Trade Union representation for both issues and as the assimilation resource issue relates to staff beyond payroll, and to only a proportion of payroll staff.

The Employers asked the Trade Unions and Professional Organisations for a written response to the offer tabled in June re. the Assimilation Resource Solution before the meeting on 21<sup>st</sup> September.

#### **3.2 Reckonable Service**

The Committee was informed that the meeting arranged for the 31<sup>st</sup> August was cancelled due to unavailability. . There was an urgency to reschedule.

[Post Meeting Note: It has been agreed the group will meet after SPRIG on 28<sup>th</sup> September to discuss the issue; if Jim Cameron were unable to attend there would be an appropriate replacement from the Employers.]

#### **3.3 Annual Leave and Public Holiday Entitlement**

A copy of the letter to the Staff Council to be circulated around the committee.

Ian Reid updated the committee on the current position. We had received two responses from the Staff Council one from The Employers and one from the Trade Unions and Professional Organisations, each one different. Due to this response not being helpful Janis Millar wrote back to the Staff Council to ask for a joint response to the question.

Colin McGowan informed the committee that he would raise this at the Staff Council Meeting on Thursday 15<sup>th</sup> September and report back at the next meeting.

**Action: Vicki Larkin and Colin McGowan**

#### **3.4 Recruitment and Retention Policy**

The committee were informed that the HDL is currently in draft form at the Scottish Executive. Colin McGowan said that he would chase it up and hopes that it will be out at the end of next week.

**Action: Colin McGowan**

### 3.5 Chaplains

The committee were told that a meeting had still not been arranged to discuss this issue due to lack of diary availability.

**[Post Meeting Note: Jim Cameron and Michael Fuller will meet on 30<sup>th</sup> September and feedback at the next meeting.]**

**Action: Jim Cameron and Michael Fuller**

### 3.6 Equal Pay Update

Colin McGowan informed the group that the issue would be raised at the Staff Council meeting on the 15<sup>th</sup> September, therefore he would report back at the next meeting.

**Action: Colin McGowan**

### 3.7 National Contract of Employment

The Employers said that while this was good in theory it could not be seen as a current priority.

The committee were reminded that this was intended for new employees only and would be tied into the new Recruitment PIN Policy.

### 3.8 RCM Midwifery Supervision Claim

The Chair informed the committee that this had been missed from the note of the last meeting.

Gillian Lenaghan reminded the committee that this claim was passed from SPRIG at least two months ago. Also informing them of a letter which she had received from George Brechin on 13<sup>th</sup> September regarding the claim

*"We have yet to see how midwives will be assimilated under Agenda for Change. The Management Side therefore believes we can only reasonably consider the points made in the claim when we see the outcome of matching for midwives with supervisory responsibilities. Management wishes therefore to defer consideration of the claim until it can analyse the outcome of midwifery matching in Scotland"*

Gillian informed the committee that she had passed this on to the RCM Scotland Board. In the RCM's view this issue would not be addressed through Agenda for Change, as these supervision duties will not be on a midwives job description as they are over and above their normal duties. She also said that the ratio of midwives to supervisors in Scotland is considerably higher than anywhere else.

David Renshaw suggested that some midwives may put these duties on their job descriptions but believed these will not be picked up by the matching process.

The claim had been to the Staff Council asking for a national agreement, but the Staff Council had referred it for local decision, which is why it was brought to the Terms and Conditions Committee. Management agreed to consider the issue again in the light of the discussion and information David Renshaw proposed to circulate.

Staff side accepted that in the light of the discussion, the separate meeting scheduled for 15<sup>th</sup> September could be stood down.

### 3 Constitution

The Employers were happy with the current draft of the constitution. The Trade Unions and Professional Organisations wished to consider paragraph 32 further.

Alex Killick reminded the committee of the Partnership Review and that discussions were taking place through this regarding National Agreements and where the committee sits within the new structure.

It was agreed to await the outcome of the Partnership Review before finalising a constitution.

It was also agreed that a paragraph regarding the role of a secretariat for the committee would be added.

To consider further following the Partnership Review.

### 4 Agenda for Change - Scottish Specific Issues

The circulated paper had set out a list of issues referred to the Committee by SPRIG as requiring formal negotiated agreement.

It was noted that the list of issues was not comprehensive. For example, the position of the Distant Islands Allowance required to be clarified. There would also be a need for some definitions of terms in local (Scottish) agreements eg “significant”.

David Renshaw said he believed a full list of such issues had been prepared and he would check with Janis Millar.

**Action: David Renshaw/Janis Millar**

In terms of the issues in the paper:

#### **4.1 On-Call ‘Pay per Session = one hour’s pay’**

Rona Webster tabled a paper with two worked examples. Laura Ace offered to provide further examples.

The committee was informed that to give more than one hour’s pay would cut across national AfC decisions.

The paper’s proposal of one hour per session was agreed.

#### **4.2 Stand-by ‘Agree 50% higher percentage than for on call. Pay per session for those required to be on standby less frequently than 1 in 12 should be paid per session: One and a half hour’s pay’**

Staff side said that recent employment case law was relevant. Consideration was deferred until this evidence was available to the Employers.

**Action: Glyn Hawker**

#### **4.3 On-Call ‘Overtime payment of time and half (double time on public holidays) should be rounded up or down to the nearest 15 minutes, this includes travel time’**

It was agreed that overtime payment should be rounded up to the nearest 15 minutes.

**4.4 On-Call 'Where an arrangement in place allows for annual review, these should be increased in line with the agreed cost of living increase for AfC but based on Whitley/local rates'**

Trade Unions and Professional Organisations agreed with this. Employers don't agree.

Staff have the option to use the arrangements around Agenda for Change or they retain their existing arrangements.

Whitley Pay Arrangements are enforce until 2008.

The Employers noted the issues the Trade Unions and Professional Organisation have.

**4.5 On-Call 'Two options: Agree to adopt the same principles under A4C for unsocial hours and pay staff for on-call payments (not for any out-calls) or Continue with current sick leave arrangements and agree not to pay staff for on-call availability until they move across to A4C'**

The employers want to go with the second option. The Trade Unions and Professional Organisations said that they would find it hard to get their members to agree with the second issue, and that this issue would only work if everyone got paid basic pay while on sick leave but they don't.

These issues were at the Staff Council whom agreed that they should go out locally for agreement. Colin McGowan agreed that he would track back through the Staff Council to find out what was said originally.

**Action: Colin McGowan**

The Trade Unions and Professional Organisations asked the Employers to go for the first option.

**4.6 Payment of overtime 'Overtime to be rounded up to the nearest 15 minutes'**

Agreed.

**5 Outstanding Issues**

The Joint Chairs, supported by the Secretariats, should prepare a paper setting out issues "live" on the Ts & Cs agenda, explaining where the issue had come from and the mandate HRD had given for negotiations. Reminders from colleagues of potentially live issues welcome.

**Action: Glyn Hawker, George Brechin and PSU**

**6 Date of next meeting:**

**Wednesday 26<sup>th</sup> October 2005  
2.00pm**

**Queens Hotel, Perth**