

Scottish Terms and Conditions (STAC) Committee
Tuesday 21 March 2023 3:30pm
Minute of Virtual Meeting via MS Teams

In Chair: Calum Campbell

In attendance:

Employer Side		Staff Side	
Calum Campbell (Co-Chair)	NHS Lothian	Colin Poolman (Co-Chair)	RCN
Ian Reid (Employer Secretary)	MSG	Matt McLaughlin (Staff Side Secretary)	Unison
Laura Ace	NHS Lanarkshire	Philip Coghill	RCN
Janis Butler	NHS Lothian	Phil Fairlie	POA
Caroline Cooksey	NHS D&G	Simon Fevre	BDA
Colin Cowie	Scottish Government	Ewing Hope	Unite
Jane Hamilton	Scottish Government	Cathy Miller	Unison
Lorraine Hunter	NHS Grampian	Jackie Mitchell	RCM
Lynne Khindria	MSG	Angela Montgomery	POA
Colin Marsland	NHS Shetland	Karen Leonard	GMB
Kenny Nairn	Scottish Government	James O'Connell	Unite
Darren Purdie	Scottish Government	Norman Provan	RCN
Conor Quinn	Scottish Government	Graham Pirie	RCP
Lyndsay Turner	Scottish Government	Claire Ronald	CSP
		Allan Robertson	HCSA
		Ros Shaw	RCN
		Sylvia Stewart	Unite

Secretariat: Brad Reid, Scottish Government

Kathryn Brechin and Sarah Cartwright from the Scottish Government attended the meeting also to give a presentation on the Health and Social Care (Staffing) (Scotland) Act.

1. Apologies

Staff Side: Wilma Brown, Julie Collins, Linda Delgado, Tam Hiddleston, Scott Keir, Lilian Macer

Employers: Jane Grant, Lorraine Hall, Pauline Howie, Jacqui Jones, Daniel MacDonald, Claire Pearce

2. Minutes and Action Points of previous meeting

The draft minute of 7 September was agreed as an accurate record of the discussion at that meeting. The meeting scheduled for 30 November had been cancelled and the Committee noted the update which had been issued after that cancellation.

3. Matters to Report:

a) Homeworking

It was reported that the Working Group considering this issue had not been able to reach a position on all of the issues in its remit. The intention now was to have further discussions within the Secretariat with a view to reaching a conclusion. It was noted that the terms and conditions element was only one part of the larger Once for Scotland work being taken forward by SWAG and that it would therefore be helpful to progress these discussions as quickly as possible.

Action: Secretariat to consider outstanding questions around Homeworking

b) Paid as if at work

The NHS Scotland Tribunal cases remain sisted whilst confirmation is sought around the implications of Tribunal rulings elsewhere in the UK. The intention is that lawyers from both sides will meet in the next few months, however, in an effort to move this matter forward.

c) Agenda for Change Pay

Staff Side confirmed that unions had unanimously accepted the 2023-24 pay offer and Payroll in turn confirmed that the uplift would be in April salaries. Staff Side stressed they were keen to now progress the non-pay elements as quickly as possible and Scottish Government representatives confirmed that a draft Terms of Reference for this work would be circulated shortly after the meeting.

Action: To circulate draft ToR for non-pay work.

Various queries were raised around the payment of the additional sum and it was agreed that these should be sent to the Secretariat so that an FAQ document could be compiled.

Action: 1. To send queries to Secretariat.
2. To produce list of FAQs

4. Matters to Discuss:

a) Job Evaluation

A paper had been circulated which set out a proposed protocol for sharing Job Descriptions between NHS Boards in Scotland. The protocol had been developed to put ensure consistent practice around Scotland and minimising any equal pay risk which might arise when employers share Job Descriptions informally. The paper was noted by the Committee and it was agreed that any further comments or amendments would be fed to the Chairs of the Job Evaluation Sub-Group before the protocol is issued to the service.

Action: To finalise protocol and issue to service.

b) Recruitment and Retention Premia Working Group

The Committee noted the paper which had been circulated proposing that the RRP which is currently in place for Medium Secure facilities in Scotland should be converted into a supplement. Neither of the Chairs of the Working Group were able to attend the meeting to talk to the paper but it was explained that the proposal had already been consulted on and agreed by the Working Group. On that basis the Committee were content to see it finalised and issued.

Action: To finalise paper and issue confirmation to service.

c) RRP Application – NHS Lothian – Payroll Administrators

NHS Lothian had made an application to reinstate an RRP they had previously had in place for Payroll Administrators. Whilst broadly supportive, both sides noted that Payroll services in the area are currently in a period of transition, so did not feel that a long term RRP was appropriate. It was agreed, therefore, that a short term RRP would be granted with a requirement for the Board to report back to STAC in six months' time for further consideration.

Action: To inform NHS Lothian of STAC's decision

d) RRP Application – NHS Western Isles – Catering Staff

The Committee was supportive of the application but felt that NHS Western Isles needed to do further work to look at the issue more broadly and find a longer terms solution. In order to allow the Board time to do that work, however, it was agreed to grant the RRP for two years.

Action: To inform NHS Western Isles of STAC's decision

5. Matters to Note

- a) Summary of data gathered on Buy Back of A/L in NHS Scotland
- b) Summary of data gathered on use of Organisational Change Protection in NHS Scotland
- c) NHS Pension Scheme Advisory Board Minutes for 11 August 2022 and 3 November 2022
- d) NHS Pension Scheme Advisory Board Minutes for 3 November 2022

- e) STAC(TCS04)2022: Organisational Change Pay Protection – Data Collection – 20 September 2022
- f) PCS(AFC)2022/2: Christmas and New Year at Weekend – 2022-23 – 10 November 2022
- g) PCS(AFC)2022/3: Pay and Conditions for NHS Staff Covered by the Agenda for Change Agreement – 23 December 2022
- h) DL(2022)39: Temporary Increase to NHS Scotland Mileage Rate – 28 December 2022
- i) DL(2023)04: Carry Forward of Annual Leave from 2022-23 to 2023-24 – 9 February 2023
- j) PCS(AFC)2023/1: Overtime for Band 8 and 9 Staff – 9 February 2023

The above papers were noted by the committee.

6. Presentation

Representative from the Scottish Government with responsibility for the Health and Social Care (Staffing) (Scotland) Act then gave a presentation covering the key points of the Act and the work which is going on in support of its implementation. Following the presentation, there was a Q and A session which allowed Committee members to raise points of clarification.

The Chair thanked the presenters for their helpful input and suggested they could return again at a suitable point in the future to update the Committee on progress.

7. Date of Next Meeting

Monday June 5 2023, 1:30 pm

Scottish Terms and Conditions Committee

21 March 2023 Meeting

Action Points

Agenda Subject	Action	Action Officer(s)	Update
3.a) Homeworking	To consider outstanding questions around Homeworking	Secretariat	Done - STAC replied to Once for Scotland Group on 23 May 2023.
3.c) Agenda for Change Pay	To circulate draft ToR for non-pay work	Scottish Government	Done - Circulated on 21 March 2023.
3.c) Agenda for Change Pay	To send queries to Secretariat for FAQ compilation	Staff Side	Done
3.c) Agenda for Change Pay	To coordinate production of FAQ	Scottish Government	Done – PCS(AFC)2023/2 re-issued with FAQ included on 6 April 2023.
4.a) Job Evaluation	To finalise job sharing protocol and issue to service	Secretariat / Scottish Government	Done – issued as PCS(AFC)2023/3 on 6 April 2023
4.b) Recruitment and Retention Premia Working Group	To finalise paper and issue confirmation to service	Secretariat / Scottish Government	Done – issued as DL(2023)09 on 30 March 2023
4.c) RRP Application – NHS Lothian – Payroll Administrators	To inform NHS Lothian of STAC's decision	Secretariat / Scottish Government	Done – letter sent on 23 March 2023
4.d) RRP Application – NHS Western Isles – Catering Staff	To inform NHS Western Isles of STAC's decision	Secretariat / Scottish Government	Done – letter sent on 23 March 2023