

JOHN WHEATLEY COLLEGE
JOINT CONSULTATIVE COMMITTEE

Minutes

Minutes of the Joint Consultative Committee meeting held on Friday 28 August, 2009 at 2.00 pm in Room MF15, East End Campus.

1. Sederunt

Ian Graham, Principal (Chair);
Alex Kirk, Depute Principal;
Doreen Sneddon, Human Resources Manager;
Stephen Smith, ACM;
Jane Miller, EIS/FELA and
Peter Gallagher, EIS/FELA.

Also in attendance

Annette McKenna (for recording purposes).

2. Apologies

Alan Sherry, Assistant Principal; and
Alan Inglis, Assistant Principal;

3. Minutes of Previous Meeting held on 18 June, 2009

The minutes were taken as read. They were accepted as an accurate record of the meeting held on 18 June, 2009.

4. Matters Arising from Minutes of Previous Meeting held on 18 June, 2009

8) College Revenue Budget – Academic / Financial Year 2009/10

The Principal informed members that the Scottish Government had obtained additional funds to support activities in colleges to enable them to respond to the Economic Downturn.

He further informed that the College had been allocated an additional £171,801 in revenue grant and that the College met the criteria for the funding as set by the Scottish Funding Council.

He confirmed that the majority of these additional funds for 2009/10 would be used to provide Student Support Funding (to augment bursary, childcare budgets and hardship funds for 2009/10).

19) HMle – Annual Engagement Visit 2008/09

The Principal confirmed that most of the changes he had requested be made to the report, of the recent Aspect Task on Computing in Scotland's Colleges by HMle, had been made. He further confirmed

that the reports on colleges who had participated in the Field Visits would be published in October, 2009.

5. Correspondence

a) SPPA – Teachers’ Superannuation (Scotland) Regulations 2005 (as amended)

The Principal spoke to the contents of the correspondence that sought to notify employers with members of the SPPA that they were currently undertaking a data cleansing exercise.

He provided members with a brief summary of the contents.

Members of the Joint Consultative Committee noted the contents of the correspondence.

b) Wylie & Bisset LLP – New Pension Rules and the Pension Age

The Principal spoke to the content of the Wylie & Bisset LLP Newsletter that sought to inform members of the government’s announcement to bring forward its review of the default retirement age.

He provided members with a brief summary of the newsletter and added that the issue would be further considered when discharging item 10 of the agenda.

Members of the Joint Consultative Committee noted the contents of the Newsletter.

c) STUC – Update on discussions

The Principal spoke to the contents of the correspondence that sought to confirm the STUC’s commitment to participating at a seminar with Scotland’s Colleges, the Scottish Funding Council and the Scottish Government regarding future pay in Scotland’s Colleges.

He provided members with a summary of the contents.

Members of the Joint Consultative Committee noted the contents of the correspondence.

6. Succession Planning – Draft Report

The Principal spoke to the contents of his report that sought to advise members of the steps which would be taken to ensure that staff were appropriately prepared for possible ‘next steps’ in their college careers.

He reminded members that a Short Life Working Group had been established, with members of the College management and recognised trade unions, to discuss succession planning within the College. He added that Support Staff were unrepresented at these discussions as a consequence of the moribund state of the College’s UNISON Branch.

He confirmed that the discussions with staff representatives and members of the College's Management Team had suggested that there were 4 (four) basic requirements for staff who would be involved in Senior, Middle and Junior Management.

These related to:

- i) Financial awareness;
- ii) Personnel Policy and Procedures;
- iii) Corporate Governance; and
- iv) Statutory Compliance.

In addition, he reminded members that in recent years, considerable effort had been made to raise the awareness of all staff on matters related to Financial Management and budgetary planning.

Furthermore, considerable effort had gone into improving the confidence of managers at all levels in handling aspects of the College's Human Resource (HR) Management agenda.

He confirmed that the College's record in maintaining the highest standards in its Corporate Governance was well rehearsed with routine and annual reports by the Board's External and Internal Auditors. Nevertheless, the development of the awareness of the standards required in the Governance of a Public Body remained a challenge for the College.

He further confirmed that issues related to the increasing volume of statutory compliance had, in recent years, placed a relatively larger burden on middle and junior managers (as a consequence of, for example, Health and Safety, Equalities and Child Protection Legislation). It was similarly expected that this additional responsibility on relatively junior members of the College's management would also increase.

The Principal indicated that it was considered to be essential that the College continued to develop (as part of its own internal staff development programme) experiences which enhanced, appropriately, the skills of all levels of management and supervisory staff key skills and experience in the perceived 'core' activities of a College Manager.

He further indicated that it was proposed that, in addition to external inputs primarily from the Scottish Further Education Unit's Management Development Programmes, the College would, as necessary, arrange its own bespoke programmes to develop further staff in these competencies which specifically meet its own requirements.

In addition, he confirmed, that the College from the start of session 2009/10 would have two (2) appropriately trained managers (to ILM Standards using the Professional Diploma in Coaching) who could undertake a formal coaching role for all Junior Management staff. This capacity might need to be extended at a later date.

The Principal took members through the training programmes that were available (both internally and externally) for Senior Management, Middle Management and Junior and Supervisory Management within the College.

He requested comments from members and requested their agreement in the proposed succession planning agenda.

Members discussed the content of the proposed agenda and all agreed it was a reasonable agenda.

P Gallagher reported that he had raised the recommendations listed in the report with Senior Lecturers and had received a positive response.

The Principal indicated that he would be willing to meet with members of EIS/FELA College staff to talk about succession planning. This proposal was welcomed by P Gallagher and J Miller. They confirmed that they would put the proposal to their members and inform the Principal of the outcome.

The Principal provided absolute assurances that the succession planning recommendations were not intended to be a 'fast track' to promoted posts within the College's structure.

He added that succession planning was essential to the sustainability of the College's future (given the impact of demography on the College's existing management structures).

The Principal indicated that the Board of Management (and its Personnel and Staffing Committee) would consider the Plan during the next cycle of meetings.

Members of the Joint Consultative Committee agreed to:

- i) note the contents of the Principal's report; and
- ii) endorse the College's Succession Planning Process as set out in the report.

7. Evaluation of the Learning Experience

The Principal spoke to the report that sought to apprise members of the outcome of the evaluation of the learner experience for session 2008/09.

He noted that the report had been considered and noted at the meeting of the Board of Management held on 25 August, 2009.

He reminded members that the evaluation had been conducted by an external consultant, D McCartney, and that the exercise had been overseen by a joint management and EIS/FELA Steering Group.

The Principal provided members with an overview of the Evaluation Report. He highlighted that D McCartney had led CPD sessions on 20 August, 2009 which had focussed on the following challenge questions contained in the Evaluation Report:

- a) *Do we encourage students to reflect on learning, and do we know what they really think about how they learn and how we teach them?*
and
- b) *Are we sufficiently self-critical, individually and as curriculum teams, about how we teach and how our students learn?*

He confirmed that it was the view of the College that these CPD sessions would enable staff to further develop evaluative skills which would inform actions to enhance the learning experience.

Furthermore, he reported that D McCartney would revise the methodology deployed in the evaluation process to reflect the revised HMle/SFC Quality Framework.

Members of the Joint Consultative Committee agreed to note the findings contained in the external consultants report.

The Principal advised that Mr McCartney's report would be considered by the Board of Management.

8. Learning and Teaching Strategy

The Depute Principal spoke to the contents of the report that sought to apprise members of the proposed revised Learning and Teaching Strategy for 2009/10.

A Kirk reminded members that the Learning and Teaching Strategy was revised on an annual basis and would be considered by the Academic and General Purposes Committee at their next meeting on 2 September, 2009.

He provided members with an overview of the draft strategy and highlighted that the changes to the strategy for 2009/10 in the main, related to:

- the more explicit reference to the College's approach to Learner Engagement (outlined in Section 4.3 of the Draft Strategy) and related inclusion of the College's Quality Enhancement Baseline Statement as appendix 6 to the Draft Strategy; and
- the renaming of the College's Authorisation Process (section 4.12) to better distinguish between such internal authorisation of programmes and Scottish Qualifications Agency (SQA) approval of programmes.

Members of the Joint Consultative Committee noted the contents of the revised draft Learning and Teaching Strategy for 2009/10.

9. Employee Satisfaction Survey – August 2008 - Results

The Principal spoke to the contents of the report that sought to apprise members of the outcome of the survey and the actions taken by the College to progress the issues raised by staff.

He informed members that the survey had a reasonable response rate of 31% (out of the 212 staff who had been issued with the survey).

He further informed that the results of the survey had been previously presented and considered by the Personnel and Staffing Committee.

He took members through the issues identified by staff and the actions planned or taken by the College.

In addition, he proposed that the survey be carried out every 2 years instead of yearly and that in the intervening year staff focus groups and discussions be carried out instead.

He indicated that the survey required minor changes but confirmed that no changes would be made without prior consultation with staff representatives.

The Principal requested that D Sneddon provide a 'you said' and 'we did' matrix for staff to show staff what 'lessons' had come from the survey and how the College had or would respond to them. He further requested that this matrix be placed in an appropriate future edition of the College Newsletter.

Members of the Joint Consultative Committee noted the contents of the Employee Satisfaction Survey and agreed to the Principal's proposal to undertake the survey with staff every 2 years (rather than the annual review originally proposed).

10. Public Expenditure – Contingency Planning 2009/11 – Draft Report

The Principal spoke to his draft report that sought to advise members of the proposed steps required to be taken by the College to provide 'head room' and respond to possible future, real term reductions in the level of funding made to Colleges in Scotland.

He informed members that it was clear that there was the potential, within the next eighteen months to two years, for large scale cuts to be made to Public Expenditure in Scotland (and the UK). These will be beyond the College's ability to influence (other than at a very strategic level by participating in the lobbying activity of *Scotland's Colleges*).

He also intimated that the reductions were likely to be of a scale which could not be addressed merely by 'efficiency savings'.

He opined that the reductions would have structural implications for the College which would impact on staffing levels. He also indicated that this could raise serious issues about the future employment security of staff.

He reiterated that the College's planned spending for the current financial / academic year were most probably relatively 'safe'. The full impact of the cuts would be felt in 2010/11 and beyond.

He further informed that it was likely that, whatever the outcome of the next General and Scottish Parliamentary Elections, there would require to be significant 'cuts' in Public Expenditure beyond the very tight settlements which had already been agreed for Session 2009/10 (and within which the College had constructed its budget for that year).

In addition he rehearsed that it was generally acknowledged that the Scottish Government's share of the initial cuts, which might be made to expenditure in financial year 1 April, 2010 – 31 March 2011, was expected to be in the order of £500m.

He stated that it must be assumed that, regardless of the outcome of the next General Election, at a UK level that these cuts would be even deeper and

more prolonged. It was widely reported that contingency plans were being produced by the Civil Service for possible cuts of up to 20% and that it would also appear that recent public Opinion Polls indicated widespread support for such measures.

Furthermore, he confirmed that in these circumstances, it was prudent for the College to seek to establish some operational 'headroom' to enable it to adjust to any reduced circumstances which may apply to Colleges in the future (beyond the current financial / academic year).

The Principal informed members that the College was seeking, in this paper, to consult Trade Unions and Professional Associations about a number of steps which might prepare it for possibly much less benign funding settlements from the Government in future years and beyond.

He further informed that the College proposed to take a range of steps that would improve its ability to respond to a possibly very detrimental reduction in grant-in-aid at quite short notice.

He took members through, in considerable detail, the steps the College proposed that included:

- a) *the College would no longer consider the consolidation of contracts of staff on fixed term contracts of employment*

In recent years the College has done much to offer permanent contracts and tenure of employment to staff who had worked on fixed term contracts and whose work had appeared to be 'secure' into the medium term.

With *immediate* effect the College would no longer operate in this way. When fixed term/temporary contracts for staff expire they would not be renewed.

Staff to whom the College had a legal commitment and related obligations would continue to be offered tenure. In addition all contractual obligations to such staff would be met in full.

- b) *the College would no longer employ staff beyond the recognised retirement age*

Staff who were currently employed by the College on this basis would be able to do so until 31 July 2010. There after the College would oblige these individuals to retire. Staff in this position would be advised of this situation formally to enable the College to discharge to them its Statutory Duty in this respect.

The College would no longer consider applications from individuals who wish to work beyond the recognised retirement age with immediate effect. Staff who are about to reach this age would be advised of this situation formally to enable the College to comply with Statute.

If the statutory circumstances in this respect are materially changed in the next nine months, the College will, of course, re-visit this decision.

The Principal intimated that the College would, in the meantime, take external legal advice about these measures (as a consequence of the development of recent case law in this area).

c) *the College would scrutinise all requests for new staffing*

From the start of academic session 2009/10 all such requests for staffing would require to be endorsed formally by an Assistant Principal or the Depute Principal prior to being considered by the Principal.

The College's pro-forma had already been modified to reflect this situation.

In addition no management level post would be advertised without an endorsement received following specific discussion and agreement at the College's Management Team.

d) *the College would offer the opportunity for all staff who were likely to reach their recognised retirement age by 31st July 2011 the opportunity to make Voluntary Severance arrangements with the College*

The College would, in the near future, write to *all* staff members (teaching and support) who were aged 58 or over to offer them the opportunity to retire early by making a Voluntary Severance arrangement (at an appropriate date).

The College would consider any applications, on a case-by-case basis, made in response to expressions of interest in this scheme within a 'business case' model.

It would be necessary for staff wishing information about superannuation benefits in such circumstances to seek that on their own behalf from the appropriate Pension Funds (the College was unable to do that on their behalf). However, the Scottish Teachers' Scheme was fully explained in a Pensions' calculator which could be accessed on the EIS website. A similar facility exists for the Strathclyde Pension Scheme. Members of the College's HR Section would be able to 'assist' in this process.

Any severance payments which required to be made by the College would be determined by its existing policy in this respect. There was no facility to offer enhanced pension settlements (which placed a long term liability on the College).

It would be for individual members of staff to consider the terms which the College was able to offer and the superannuation consequences of any related decision they might make. The College was not seeking, at this stage, to make any member of staff compulsorily redundant under this provision in academic/financial year 2009/10 (unless, of course there were subsequently unforeseen detrimental material changes in the College's situation in that period).

- e) *the College would offer staff who hold contracts for promoted posts in its Academic Structure to give them up (in favour of redeployment back into a classroom or other appropriate operational post)*

It is possible that staff who currently occupy senior posts in the College's Academic Structure may, for whatever reason, wish to relinquish these and return to a primarily classroom role.

Similarly it may be that staff who occupy such posts may have found, in recent years, that their expectation of the duties which the College might reasonably expect of such post holders are not founded in their current experience.

The College recognised that this may be the case and would respect any individual who made a request to return to classroom-based activities.

The College will, in these circumstances, make such an offer to all individuals who hold the post of Senior Lecturer and above in its Academic Structure.

This would be time-limited and also considered on a 'case-by-case' basis.

- f) *the College would comprehensively review its teaching staff and support staff structure in mid-academic session 2009/10*

This process would:

- involve staff representatives from recognised Trades Unions and Professional Organisations in appropriate levels of consultation; and
- not seek to undermine the core terms of employment which determine the College's structure or the College's expectations of its teaching staff.

The College advised recognised Trade Unions and Professional Associations that their members should expect to be involved in such discussions early in the new calendar year (2010).

Members discussed at considerable length the steps the College proposed to take, as detailed by the Principal, and the proposed content of the letter that would be sent to relevant staff.

J Miller raised the question of what the proposed steps meant for temporary staff and their future employment.

In response to that question the Principal confirmed that the College would not be making anymore temporary staff permanent (unless exceptional circumstances prevailed). He advised that if they received offers of work from other establishments then it would advise that they take up such an offer.

The Principal reiterated the College's excellent record in recent years in offering part-time, temporary staff tenure. He opined, however, that the financial circumstances which made that possible had changed dramatically (and detrimentally).

A Kirk reiterated that the proposed steps were to ensure the long term sustainability of the College.

He confirmed that the College would seek both general and specific advice from its legal advisors on the wording of the report before placing the report in the Public Domain and before corresponding with staff as described in the report.

The Principal added that he would be more than happy to meet with members of the EIS/FELA Branch to explain the budgeting circumstances which the College now faced and the proposed steps if it was felt beneficial. J Miller and P Gallagher agreed that this might be of benefit and would put the proposal to members and inform the Principal of the outcome in due course.

J Miller expressed her opinion that early notification to staff concerned was the key to the smoother implementation of the proposed steps. P Gallagher agreed with her opinion.

Members of the Joint Consultative Committee noted the contents of the draft Public Expenditure – Contingency Planning 2009/11 Report.

11. HMle Quality Review – Session 2009/10

The Principal spoke to his report that sought to advise members of the HMle Quality Review of Colleges which was planned by the Scottish Funding Council for academic year 2009/10.

He informed members that the College would undergo a HMle Quality Review in week beginning Monday 2 November, 2009.

He further informed that the Review Team would be led by Karen Corbett and that briefing meetings would be arranged for staff, for Friday afternoons.

P Gallagher and J Miller agreed that such briefing meetings would be of value to staff.

In addition, the Principal informed members that staff would be involved in the Investors in People (IiP) audit, scheduled to be held week beginning Monday 28 September, 2009.

Members of the Joint Consultative Committee noted the contents of the Principal's report.

12. Equality and Diversity

a) 'See Me' Pledge

The Principal spoke to the report that sought to apprise members of the College's commitment to sign the 'see me' pledge to further

demonstrate its commitment to challenging the stigma and discrimination associated with mental health and well-being.

He added that the report had been considered and endorsed at the College's Board of Management meeting held on 25 August, 2009.

He informed members that the College had undertaken a number of activities over the years to further promote mental health and well-being in relation to staff and learners. These activities had included:

- working in partnership with the former Greater Easterhouse Mental Health Forum (now Glasgow East Mental Health Users and Carers Forum) and Positive Mental Attitudes, a community based organisation, to provide staff training and develop its Well-being Policy;
- providing learners with access to community-based mental health services in collaboration with East Glasgow Community Health and Care Partnership (CHCP) at the East End Campus;
- providing an Employee Counselling Service and Occupational Health Service for staff; and
- conducting a periodic Staff Attitude Survey.

He further informed that in Session 2009/10 the College would further develop its approach to supporting mental health and well-being by including in its Quality day programme activities related to:

- suicide prevention awareness information (provided by East Glasgow CHCP);
- mental health issues related to addictions; and
- a further input from Positive Mental Attitudes to inform support strategies used by staff working with learners who have or are experiencing mental health issues.

Furthermore, he confirmed that the College would explore with East Glasgow CHCP the possibility of extending community-based mental health services to the Easterhouse campus.

He further confirmed that the College would sign the 'see me' pledge during the week of Diversity scheduled to be held from 30 November – 4 December, 2009.

Members of the Joint Consultative Committee noted the contents of the Principal's report and the work undertaken by the College in taking forward its equality and diversity agenda in relation to mental health and well-being.

b) Race Equality in Employment Standards

The Principal spoke to the report and reminded members that a Race Equality Audit of the College's employment practices had been conducted on behalf of the College by an external consultant in session 2007/08. The Consultant used a document produced by the

Learning Skills Council titled *Race Equality in Employment Standards (REES)* to benchmark the College's current employment practices.

He further reminded members that the Race Equality Audit Report had identified the College at Level 3 in relation to the 5 Levels contained in the REES. A draft plan that detailed the steps planned by the College to attain, where possible, Levels 4 and 5 of the REES, was previously presented to the Joint Consultative Committee on 18 June, 2009.

He provided members with an overview of the updated plan to attain Level 4 and 5 where possible, presented as an annex to the report for members' information.

Members discussed the contents of the updated plan at length and both P Gallagher and J Miller agreed that the contents did not provide any issues for staff. However, there was some regret that the College would have to accept the opportunity costs of these steps.

Members of the Joint Consultative Committee noted the contents of the report and the updated plan (attached as an annex to the report).

c) i) SFC Consultation 04/2009 - Equality and Diversity Support to Colleges (and Universities)

The Principal spoke to the contents of the Scottish Funding Council Consultation on Equality and Diversity Support in Colleges and Universities.

He informed members that the response to the consultation was required to be submitted before 9 October, 2009.

ii) Draft Response to Consultation (Work in Progress – For Discussion)

The Principal provided members with a summary of the College's response to the Consultation and reminded members that the report was a work in progress and was for discussion.

He informed members that he had delegated authority to respond to the Consultation on behalf of the College.

He requested that any comments on the report be provided to him by mid-September, as the report would be submitted to the SFC before 9 October, 2009.

13. Scotland's Living Wage Employers' Award

The Principal spoke to the contents of the report that sought to apprise members of the criteria for the award and the opportunity for the College to apply for this award.

He informed that the Scottish Living Wage Employers' Award had recently been launched as part of the Scottish Living Wage Campaign. The Scottish Living Wage Campaign was supported by a diverse range of community and voluntary sector organisations, academics, trade unions and individuals

across Scotland. It aimed to persuade employers in Scotland to pay all workers at least £7 per hour.

He further informed members that the award was intended to promote and recognise good practice in employment and that the College met the primary criteria of ensuring a minimum wage rate above £7 per hour, holidays at or above the statutory minimum, over 10 days paid sick leave per year and free access to a trade union.

In addition, the award would allow the College to demonstrate its status as an employer of choice and a leader in ethical employment within the Further Education Sector.

Members discussed the contents of the report and the measures the College had put in place over the past year to raise the hourly wage rate of college staff. He expressed considerable surprise and great disappointment that some members of college staff did not appear to be aware of the steps the College had taken to raise wages for support staff workers by dropping 6 points from the bottom of the wage scale.

Members of the Joint Consultative Committee agreed that the College should present an application for the award.

14. Data Protection Update

The Depute Principal spoke to his report that sought to apprise members of issues related to Data Protection which had arisen over session 2008/09. The report had been considered by the College's Board of Management at the meeting held on 25 August, 2009.

He provided members with an overview of the report and highlighted that the data protection development issues addressed by the College were with regards to:

- Fair Processing Statements;
- Privacy Impact Assessment;
- Laptop Encryption; and
- Cookies.

He informed members that the College had received two Data Subject Access Requests in session 2008/09 and that both requests were from members of staff and that the College had met the requests within the required time.

In addition, he further informed members that the combined cost to the College, in staff time alone, in meeting the Data Subject Access Requests had been in excess of £8,000.

Members of the Joint Consultative Committee noted the contents of the report.

15. Disclosure Scotland - Checks

The Principal spoke to the contents of the report that sought to apprise members of the steps that had to be taken to adhere to the College's policy and procedure in relation to the Management of Criminal Records Information and Safeguarding Children, Young People and Vulnerable Adults.

He rehearsed that the completion of a Disclosure Scotland Check was a condition of employment at the College and that included members of the Board of Management.

The Depute Principal reminded members that all staff had been reissued with advice and had been provided with training to reiterate the College's Policy and Procedures on Safeguarding Children, Young People and Vulnerable Adults.

He added that it was mandatory for all staff to wear Photographic ID, at all times.

Members of the Joint Consultative Committee noted the contents of the report.

16. HR Operational Plan – Draft Targets

The Depute Principal spoke to the contents of the report that sought to apprise members of targets set for the Human Resources (HR) Section in relation to its Operational Plan for 2009/10.

He provided members with a summary of the HR Targets for 2009/10, attached as an annex to the report for members' information.

Members of the Joint Consultative Committee noted the contents of the report.

17. Meeting Schedule – Session 2009/10

The Principal spoke to the contents of the College Meeting Schedule that confirmed the dates and times of all Board and Standing Committee meetings for session 2009/10.

He added that since the production of the schedule, the scheduled Board Meeting for October 2009 would now be held on Wednesday 21 October, 2009.

Members of the Joint Consultative Committee noted the contents of the Meeting Schedule for session 2009/10.

18. College Risk Register

The Depute Principal spoke to the contents of the College Risk Register that was 'owned' by the Board of Management and added that the Risk Register

was a standing item on every Board Meeting held. The Risk Register was fundamentally reviewed twice yearly, in January and June.

He informed members that the current Risk Register had been revised on 16 June, 2009 and was attached as appendix 1 to the report for members' information. He took members through the contents of the Risk Register, highlighting the red risks.

He further informed that during session 2008/09 the Risk Register had been substantially altered as requested by the Board and that a note of the alterations made was attached as appendix 2 to the report for members' information.

It was agreed by members that there were no additional risks identified as a consequence of discharging the above agenda.

Members of the Joint Consultative Committee noted the contents of the Depute Principal's report and the two appendices.

19. Closure

The meeting closed at 4.00pm with the Principal thanking members for their attendance and contribution to the meeting.

20. Date of Next Meeting

The next meeting of the JCC would be held on Friday 13 November, 2009.

