



For the future you want

## **EDINBURGH COLLEGE BOARD OF MANAGEMENT**

### **MINUTES OF MEETING OF 30 MAY 2017**

**13:00 Boardroom, Milton Road Campus**

**Present:** Neal Black; Annette Bruton; Bruce Cassidy; Bob Downie; Lesley Drummond; Alan Johnston; Ann Landels; Ian McKay; Niki McKenzie; Nigel Paul; Fiona Riddoch; Jeanette Stevenson; Ian Young (Chair).

**In attendance:** Jon Buglass; Alex Craig; Michael Jeffrey; Jonny Pearson; Marcus Walker (Clerk); Richard Whetton; Alan Williamson.

#### **1. WELCOME AND APOLOGIES**

- 1.1 Apologies were received from Colin Arthur, Amanda Clark, Stephen Dunn, Azra Sharif-Qayyum and Judith Sischy.
- 1.2 The Vice Chair welcomed members to an extraordinary meeting of the Board to consider matters relating to the implementation of the National Joint Negotiating Committee (NJNC) Agreement of March 2016. The Board NOTED that due to the conflict of interest outlined under Paragraph 2.1, the Vice Chair would assume the role of Chair for the Board meeting.

#### **2. DECLARATIONS OF INTEREST**

- 2.1 The Chair of the Board advised members that as Chair of the Employers' Association it would be inappropriate to act as chair at the meeting.
- 2.2 The Principal informed the Board that she had acted as a management side representative of the Employers' Association during recent negotiations. The Board NOTED that the Depute Principal would advise the Board on the college's position in relation to the proposed NJNC Agreement.

#### **3. NATIONAL JOINT NEGOTIATING COMMITTEE AGREEMENT**

- 3.1 The Board NOTED an historic overview of national bargaining in the college sector, and the details of the NJNC Agreement of March 2016. The Chair advised the Board that both management and lecturing sides of the Employers' Association had reached an impasse on the implementation of the NJNC

Agreement, which had resulted in EIS-FELA balloting its members and commencing industrial action on 27 April.

- 3.2 The Board NOTED that on 19 May, a further NJNC Agreement had been agreed, although discussions continued to progress on outstanding elements where the details of the agreement had not been reached. The Principal advised the Board that EIS-FELA strike action had subsequently been suspended, to allow both the management and lecturing sides of the Employers' Association to continue negotiations.
- 3.3 The Board NOTED that an Extraordinary Employers' Association meeting would take place on 31 May, where Employers' Association members would be asked to ratify, in principle, the NJNC Agreement made of 19 May. The Principal advised the Board that the NJNC Agreement was subject to both management and lecturing sides 'reporting and ratification by their respective constituencies'.
- 3.4 The Board NOTED the proposed terms of the NJNC Agreement of 19 May, and the specific areas where Employers' Association negotiations continued. The Chief Operating Officer outlined the forecasted financial impact of the proposed terms for both the college sector and Edinburgh College.
- 3.5 The Board DISCUSSED the following aspects of the NJNC Agreement of 19 May:
  - (i) The legal advice received by the Employers' Associations;
  - (ii) the position of the college as a charity, and the role of Board members as charity trustees;
  - (iii) the negative financial impact of the agreement on the college, and the need for financial assurances from Scottish Government on future funding;
  - (iv) the need for the Employers' Association to seek comfort that the SFC will act as a lender of last resort, in order for colleges to close their end of year accounts;
  - (v) the potential impact of the agreement on workforce planning, in order for the college to continue to effectively meet the needs of learners.
- 3.6 The Board AGREED that legal advice received by the Employers' Association should be circulated to members.
- 3.7 The Board AGREED that the Principal had a mandate to represent the Board at the Employers' Association meeting on 31 May, in order to seek a balanced and fair agreement which protected the college going forward.
- 3.8 The Board AGREED that, in line with members' legal responsibilities as charity trustees and the Board's collective commitment to seek a balanced budget, the Employers' Association should pursue a written guarantee from Scottish Ministers that an appropriate mechanism to fund the implementation of the NJNC Agreement shall be forthcoming.
- 3.9 The Board AGREED that (if appropriate) another extraordinary meeting of the Board, to consider further any potential agreement arising from the Employers' Association meeting on 31 May, would be called.

**Meeting closed at 14:15**

..... (Signature of Chair) ..... (Date)