



Renfrewshire Council Joint Negotiating Committee for Teaching Staff

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Dear Colleague

JNC/2 **NEGOTIATING STRUCTURES FOR EDUCATION ESTABLISHMENTS AND SERVICES**

Renfrewshire Council Joint Negotiating Committee for Teaching Staff (JNC) has approved the agreement attached as an annex: Negotiating Structures for Education Establishments and Services.

This agreement has been ratified by the council and by the teachers' panel.

The agreement outlines the procedures which will govern the operation of negotiations within schools and services which deal with matters related to teachers' conditions of service and are devolved to a local level.

Yours faithfully

John Rooney (Education and Leisure Services)
Ian McCrone (Teachers' Panel)

Joint Secretaries

Enc

JNC/2

RENFREWSHIRE COUNCIL: EDUCATION AND LEISURE SERVICES JOINT NEGOTIATING COMMITTEE FOR TEACHING STAFF

Negotiating Structures for Education Establishments and Services

1 Introduction

- 1.1 This document provides advice on the establishing of negotiating structures and procedures within individual education establishments and services employing teachers in the light of the McCrone agreement *A Teaching Profession for the 21st Century*. The advice provided will be kept under review by the Renfrewshire Council Joint Negotiating Committee for Teaching Staff. The McCrone agreement provides opportunities for agreeing working conditions for teachers which can meet local needs by delegating responsibility to the local, Renfrewshire level for many issues which were formerly negotiated nationally.
- 1.2 The agreement established a new structure for the negotiation of teachers' conditions of service. At national level, the Scottish Negotiating Committee for Teachers (SNCT) will have responsibility for negotiating:
- Pay (including related allowances);
 - The working week and the working year;
 - Annual leave entitlement;
 - Class size;
 - Sick leave;
 - Maternity/family leave;
 - National and local recognition procedures; and
 - Disciplinary and grievance framework.
- 1.3 At local authority level, the Renfrewshire Joint Negotiating Committee for Teaching Staff has been established with responsibility for negotiating and agreeing:
- Other allowances;
 - Cover agreements;
 - Appointments procedures;
 - Working time arrangements
 - Arrangements for school based negotiation/agreement
 - Particulars of employment;
 - Expenses for candidates for appointment;
 - Transfer of temporary teachers to permanent staff;
 - Promotion procedures;
 - Staff development arrangements;
 - Specific duties and job remits;
 - Arrangements for school-based consultation;

- Other leave and absence arrangements;
- Notice periods;
- Housing;
- Indemnification procedures; and
- Disciplinary and grievance procedures.

1.4 At school level, mechanisms will require to be established to allow negotiation and agreement on the annual use of collegiate time from within the 35 hour week.

2 Negotiating Structures

2.1 Appendix 1 to this paper illustrates the inter-relationship between the three levels of negotiation in a diagrammatic form.

2.2 The Renfrewshire Council Joint Negotiating Committee for Teaching Staff (JNC) has been established.

2.3 Annexe D to the McCrone agreement provides a code of practice on working time arrangements for teachers which will be kept under review at national level.

3 Establishment Agreements

3.1 The code of practice will require to be supported by effective negotiating arrangements within all establishments which ensure full participation of all teachers. Discussions will be led by the headteacher as overall manager and person ultimately accountable for the activities of the establishment.

3.2 With these mechanisms in place, it should be possible to resolve disputes, which may be individual or collective, without recourse to grievance. This would not affect a teacher's right to resort to formal grievance.

3.3 The teacher trade unions will be responsible for developing their own internal consultative mechanisms prior to discussion and agreement with the head of establishment.

3.4 The following sections of this document detail how school level agreements will be developed and collective bargaining will take place in Renfrewshire establishments between recognised trade union representatives and heads of establishment. A mechanism for attempting to resolve disputes informally is also outlined.

4 Establishment Arrangements

- 4.1 As a result of the implementation of the McCrone agreement, it is necessary that negotiation takes place in establishments and that agreements are reached where previously consultation took place. Guidelines are required to provide a working framework within which enhanced professionalism and collegiality among teachers can be fostered.
- 4.2 Negotiating committees will be established in all Renfrewshire education establishments to allow collective bargaining to take place.
- 4.3 All teaching unions allocated a place on the JNC Teachers' panel will be entitled to one representative on an establishment's negotiating committee. Where a trade union represents over 50% of the teaching staff, they will be entitled to a second representative on the committee.
- 4.4 Any decisions taken at school or establishment level must not contravene arrangements agreed at authority or national level.

5 Operating Procedures

- 5.1 The teacher trade unions will be responsible for developing their own internal consultative mechanisms prior to discussion and agreement with the head of establishment. Time will be identified to allow trade union meetings to take place in accordance with Renfrewshire Council's standing agreement.
- 5.2 Each establishment's negotiating committee will meet as necessary to consider the annual programme and timing of collegiate activities which will then be discussed at a meeting of teaching staff.
- 5.3 Time will be identified for staff meeting(s). It will be for each establishment to agree the timing of the meeting(s) but consideration should be given to the use of in-service days in the spring/summer terms.
- 5.4 Each teaching union will use its own internal procedures for determining whether it agrees the programme.
- 5.5 Where agreement is reached, the agreement will be signed by the head of establishment and the representative(s) of the teaching unions.
- 5.6 Where it proves impossible to reach an agreement at establishment level on a plan or part of a plan, this should be referred to the JNC to attempt to mediate and achieve a resolution. If it still proves impossible to reach an agreement the matter may be referred to the SNCT.

5.7 Renfrewshire Council and the teaching unions will establish agreed mechanisms to facilitate mediation where there has been a failure to reach agreement. It should however be noted that the terms of the McCrone agreement reaffirm “a teacher’s right to resort to formal grievance”.

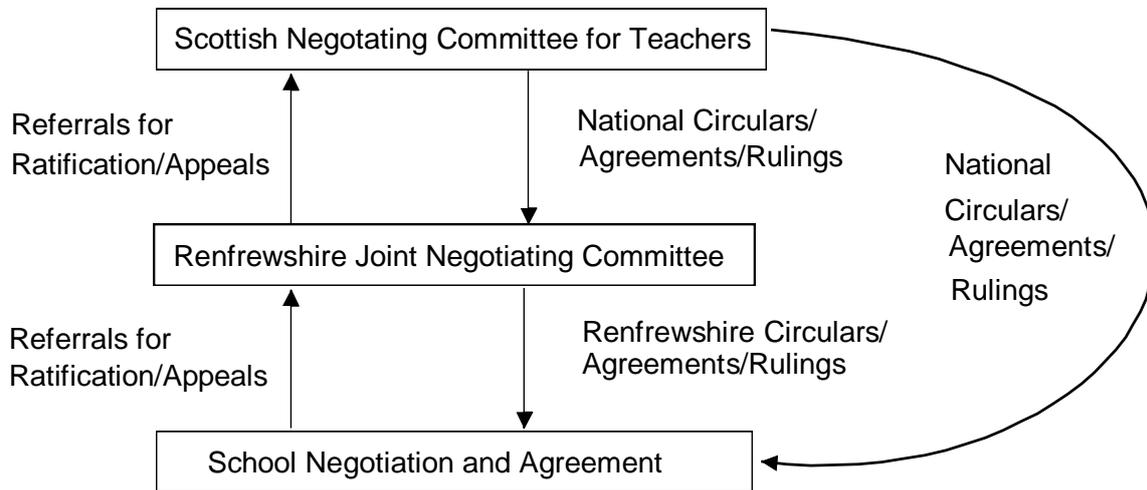
6 Monitoring

6.1 All establishments will complete and return a monitoring checklist to the local authority negotiating body to indicate that agreements have been reached. This should be signed by the head of establishment and a representative(s) of the teachers’ side. A monitoring checklist is attached as Appendix 2 to this document.

6.2 The local authority negotiating body will review, as it deems appropriate, establishment agreements.

JR/IMcC/LG
14/5/03

RELATIONSHIP BETWEEN NEGOTIATING BODIES



The Flow Diagram is a view of the relationship between the levels of negotiation and agreement, the structure may be reviewed and refined in the light of SNCT agreements and national advice.

**Renfrewshire Council: Education and Leisure Services
Establishment/Service Negotiating Arrangements**

Session 2003/2004

Establishment/Service _____

| | Yes | No |
|---|--------------------------|--------------------------|
| 1 Has a negotiating committee been established? | <input type="checkbox"/> | <input type="checkbox"/> |
| 2 Have the following meeting been held? | | |
| a) Negotiating committee meeting(s) | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Union meeting(s) | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Teaching staff meeting(s) | <input type="checkbox"/> | <input type="checkbox"/> |
| 3 Has agreement been reached on a calendar? | <input type="checkbox"/> | <input type="checkbox"/> |

4 COMMENT

5 Signed

(Headteacher)

(Teachers' Side) _____

Date _____

Date _____