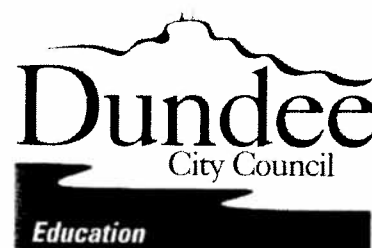


Dundee Negotiating Committee for Teachers



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18 May 2004

Dear Colleague

DNCT/1

LOCAL AGREEMENTS

The Agreement "A Teaching Professional for the 21st Century", reached following recommendations of the McCrone Report, stipulated that, in addition to the establishment of a new national negotiating body – the Scottish Negotiating Committee for Teachers (SNCT) – there would be local negotiating committees established in each of Scotland's 32 Councils.

In Dundee, the City Council's Education Committee agreed to establish the Dundee Council Joint Negotiating Committee for Teaching Staff (DNCT) and its inaugural meeting was held on Wednesday 1st October 2003. At that meeting a local recognition and procedure agreement was adopted as the constitution for the DNCT and a copy is attached as Appendix 1. An extract of the minute of the meeting of the Education Committee (Report No. 57-2003; 16th June 2003) which approved the new arrangements is attached as Appendix 2.

Local Agreements will cover conditions of service matters devolved by the SNCT and other matters subject to national bargaining. Devolved matters are defined as follows:

- cover agreements
- appointment procedures
- particulars of employment
- expenses of 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
- disciplinary and grievance procedures
- allowances which are not pay related

Agreements reached by the DNCT shall be binding on the Council and the signatory teacher trade unions. Delegated authority to agree matters on behalf of the Council resides with the Chief Executive and the Director of Education.

Local agreements reached by the DNCT will be intimated by circular and this document is the first in the "DNCT" series. These circulars will be issued to Head Teachers of all schools in Dundee and to all other managers of staff employed on conditions of service determined by the SNCT. An additional copy will be provided in each school and relevant establishments to be made accessible to staff. In addition, copies of SNCT circulars will be held on Dundee City Council's Intranet.

Sandy Weston
Danny McDonald
(Joint Secretaries)

Local Recognition and Procedure Agreement

between Dundee City Council
and The Educational Institute of Scotland
and The Scottish Secondary Teachers' Association and
the Professional Association of Teachers,
The National Association of School Masters Union of Women Teachers,
Head Teachers Association of Scotland and
the Association of Head Teachers in Scotland.

1. Dundee City Council hereby recognises the EIS, SSTA, PAT, NAS/UWT, HAS and AHTS as the sole representative of the teaching staff, music instructors, quality improvement officers and educational psychologists employed by the Council on all matters relating to conditions of service as defined in paragraph 3 of this recognition and procedure agreement and other matters not subject to national bargaining.
2. The Council and the recognised unions jointly affirm their commitment to the maintenance of good industrial relations and accept that this Recognition and Procedure Agreement and any formal agreements which arise from it will be binding on the signatory parties.
3. All agreements, orders, settlements and determinations of the Scottish Joint Negotiating Committee for Teaching Staff in School Education dealing with:
 - cover agreements
 - appointment procedures
 - particulars of employment
 - expenses of 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 period
 - housing
 - indemnification procedures
 - other allowances
 - discipline and grievance procedures

shall be adopted as the base for negotiations under the procedures established by this Recognition and Procedure Agreement.

4. The purpose of this Recognition and Procedure Agreement is to establish bargaining machinery and a negotiating procedure between the council and signatory unions whereby relevant conditions of service can be determined for all teaching staff, music instructors, quality improvement officers and educational psychologists.
5. The Council hereby recognises the unions who are signatories to this Recognition and Procedure Agreement as the sole bargaining agents for the matters covered by this Recognition and Procedure Agreement.

6. The Council will negotiate through a Management Side appointed by itself. The recognised unions will negotiate through a joint union side appointed by them collectively which will reflect, on a pro-rata basis, the respective membership strengths of each organisation. The Management Side and the joint union side will each appoint a secretary for their respective sides.
7. Negotiations between the two sides shall be conducted within a committee to be known as the Dundee City Joint Negotiating Committee for Teaching Staff. Meetings of the Committee shall be held as and when requested by either side with the proviso that there will be at least one meeting in each calendar year. One of the meetings shall be designated the Annual General Meeting for the purpose of approving the membership of the JNC and reviewing any standing sub-committees. The joint secretaries shall be responsible for making the arrangements for meetings which shall be arranged within 4 days of a request being lodged, or otherwise by mutual agreement.
8. The composition of each side of the Committee shall be determined by the sides separately, but shall not exceed 6 members of each side. The Committee may, from time to time, appoint from among its own members, a sub-committee or sub-committees to discharge such of the functions of the Committee as the Committee may specify.
9. The quorum for a meeting of the Committee shall be 4 from the Management Side and 4 from the Joint Union Side.
10. Agreements reached by the Committee shall be binding on the Council and the signatory unions at the point of signature to the agreement. Signatories for the Management Side shall be the Director of the Education or the Chief Executive. Each of the parties hereto hereby confirm that they have the authority to bind the party on whose behalf they sign in terms of this Recognition and Procedure Agreement.
11. Agreements reached between the two sides shall be set out in a text jointly approved by the two sides and the text will be subscribed by the joint secretaries. (Such agreements when agreed *in writing* shall be known as "local agreement"). All local agreements shall be reported to the SNCT.
12. The joint secretaries will be available to advise their respective sides on matters relating to agreements reached by the Committee. In formulating such advice the joint secretaries may consult with each other whenever they think it appropriate.
13. This Recognition and Procedure Agreement shall take effect as soon as it has been signed on behalf of the Council and on behalf of the Teachers' Side.
14. No variation to this Recognition and Procedure Agreement may be made except with the consent of the Sides to this agreement.
15. The Council hereby agrees to ensure that adequate paid time off work shall be granted to all union representatives on the Joint Negotiating Committee and that particular consideration shall be given to the amount of paid time off work required by the person appointed as union side joint secretary, as well as the necessary facilities covered by ACAS Code of Practice No. 3.
16. The signatory parties to this Recognition and Procedure Agreement acknowledge the importance of establishing and maintaining confidence in the negotiating arrangements established under this Agreement and recognise the need to negotiate in good faith.

In the event of any dispute being declared between the two sides or where there is a failure to agree at school level on any relevant matter, the Council and the signatory unions should seek to resolve the matter, without delay through discussion in the Committee. The Council further agrees not to implement any change which is the subject of dispute until the matter has been considered by the Committee. The signatory unions, likewise, further agree not to implement any form of industrial action unless and until the Committee has failed to achieve a resolution of the matter in dispute.

17. Where agreement between the two sides of the local negotiating committee is not possible, either side may refer the failure to agree to the joint chairs of the SNCT for conciliation. If the conciliation is unsuccessful the joint chairs of the SNCT may recommend further procedures for resolution of the difference including external conciliation, mediation or arbitration.

Signed on behalf of the Council:

Name: _____

Designation: _____

Date: _____

Signed on behalf of the Teachers' Side:

Name: _____

Designation: _____

Date: _____

APPENDIX 2

There was submitted Report No 57-2003 by the Director of Education seeking approval of a Local Recognition and Procedure Agreement between the Council and representatives of teaching staff employed by the Council and the establishment of a Local Joint Negotiating Committee for Teaching Staff.

The Committee agreed to:-

- i. approve the terms of the draft Local Recognition and Procedure Agreement;
- ii. instruct the Director of Education to advise all relevant Teacher Unions of the agreement by the Council to the terms of the draft Agreement and to invite the relevant unions to similarly agree;
- iii. authorise the Director of Education to sign a Local Recognition and Procedure Agreement in terms of the draft;
- iv. instruct the Director of Education to establish a Local Joint Negotiating Committee for Teaching Staff in accord with the terms of the agreed Local Recognition and Procedure Agreement;
- v. to note that agreements reached by the Committee shall be binding on both parties at the point of signature to the Agreement and that the signatories for the Management Side shall be the Director of Education or the Chief Executive; and
- vi. remit to the Director of Support Services to make appropriate changes to the Scheme of Delegation to Officers.