

Stirling Council: Children, Young People and Education

Local Recognition and Procedure Agreement

Framework Local Recognition and Procedure Agreement between Stirling Council and The Educational Institute of Scotland (EIS) and The Scottish Secondary Teachers' Association (SSTA).

1. The Stirling Council hereby recognises the EIS and the SSTA as the sole representatives of the teaching staff, music instructors, educational psychologists, educational support officers, quality improvement officers and quality improvement managers 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 Negotiating Committee for Teaching Staff in 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 periods;
- housing;

indemnification procedures;
other allowances; and
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 the signatory unions whereby relevant conditions of service can be determined for all teaching staff, music instructors, educational psychologists, educational support officers, quality improvement officers and quality improvement managers.

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 (the Joint Secretaries).

7. Negotiations between the two sides shall be conducted within a Local Negotiating Committee for Teachers (LNCT). Meetings of the Committee shall be held as and when requested by either side with the proviso that there will be at least 5 meetings in each calendar year. One of the meetings shall be designated the Annual General Meeting for the purpose of approving the membership of the LNCT and reviewing any standing sub committees. The Joint Secretaries shall be responsible for making the arrangements for meetings which shall be arranged within 21 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 5 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 functions of the Committee as the Committee may specify. [See Appendix 1.](#)

9. The quorum for a meeting of the Committee shall be 2 from the management side and 2 from the joint union side. In the case of a sub committee, the Committee will determine the quorum when the sub committee is first established.

10. Agreements reached by the Committee shall be binding on the Council and the signatory unions and each of the parties 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. All local agreements will 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 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.

17. 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 that 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.

18. 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 binding arbitration.

Signed on behalf of the Management Side

Name **Kevin Kelman** Signature 

Designation **Head of School Improvement**

Date 14 September 2015

Signed on behalf of the Joint Union Side

Name **Ann Skillen** Signature 

Designation **Local Secretary (EIS)**

Date 14 September 2015

To be completed as agreed by the management side and the joint union side

Stirling Council LNCT Membership – 2015/16

Management Side

Michael Boyle, Education Business Manager

Sharon Johnston, Head of Children, Young People and Families

Kevin Kelman, Head of School Improvement (**Joint Secretary**)

Scott Pennock, Headteacher, Wallace High School

Audrey Ross, Headteacher, Bannockburn High School

Trade Union Side

Daniel Auldjo, Wallace High School (EIS)

Fiona Cullen, Bridge of Allan Primary School (EIS)

Iain McRobbie, Dunblane High School (SSTA)

Ann Skillen, SEBN Support Service (EIS) (**Joint Secretary**)

Attending

Leah Francetti, Area Officer (EIS)

Jean Fisher, Senior HR Adviser

Doreen Smyth, Education Business Officer