

9 July 2025

Education, Children and Young People Committee Convener
The Scottish Parliament
Edinburgh
EH99 1SP

Ref: JA/LM
Direct: 07928 500 848

Dear Convener,

Education, Children and Young People Committee

In response to Mr Greer's question about potential structural reforms and improvements to the college sector's National Joint Negotiating Committee (NJNC) at the committee session on 18 June 2025, we are providing the committee the following update.

The NJNC, and its founding document, the National Recognition and Procedures Agreement (NRPA), compromises the National Bargaining machinery in the college sector. It is something that College Employers Scotland (CES) manages, in partnership with its trade union partners, for the purposes of collective bargaining. It is not substantially different from many similar types of joint employer and trade union agreements, setting out as it does, the signatory parties, what is to be negotiated, and how it is to operate, the structures for negotiations and the managing of disputes. Like any such agreement, it should be regularly reviewed and updated, incorporating where necessary any learning from events. Unfortunately, however, there have been no such reviews since its inception in 2015.

For the employers, a number of the Lessons Learned recommendations have already been taken onboard and acted upon, and those have contributed to a general improvement in industrial relations. However, the proposal that there should be an independent chair, to assist in reaching agreements and improving the overall effectiveness of the arrangements is not something the trade unions have been willing to agree on.

The matter of independent chair aside, CES has since engaged with its Lecturing (EIS-FELA) and Support Staff trade unions (UNISON, Unite and GMB) to commence a review of the NJNC – NRPA. To date, the EIS-FELA has not yet participated in any review, but in prompting this review, two of the trade union partners in the support staff (UNISON and Unite) have given notice to all parties of their intention to resign from the current NRPA arrangement, in favour of a stand-alone agreement for Professional Services Staff (PSS) only. The GMB has not given that same notice.

CES has, as a result of the notice from UNISON and Unite, had several discussions with all parties, including the EIS-FELA and the GMB, and has then progressed to working with UNISON and Unite on the new PSS agreement. As GMB has not joined with UNISON and Unite on this, those trade unions have not included the GMB in those discussions. The GMB has, however, been made aware that they would be welcome to join the PSS agreement if and when they choose to do so.

UNISON and Unite cited in their notice to resign from the current arrangements that they looked forward to working together with CES in a collegiate way, for the betterment of their members. We believe that the work we have jointly undertaken together, in the draft of the new agreement is a significant improvement on the current NRPA: simplifying the language; clarifying procedures such as the dispute process and incorporating a standard of behaviours based on the Nine Principles of Public Life in Scotland, and that we will move forward more constructively and progressively, benefiting all professional service staff across the sector.

Given the financial challenges facing the sector in recent years, the backdrop to industrial relations has been difficult, but we do believe that we can move forward positively with trade union colleagues to improve relationships. Signs are that these are improving, and, with government support, longer term agreements can be reached after reasoned discussions. Therefore, while NJNC – NRPA reform may help facilitate better working relationships, it is not of itself the complete solution to better industrial relations.

Please don't hesitate to get back in touch if you require any further information.

Yours sincerely,

John Anderson
Acting Director of CES

David C Watt
Chair of CES