



Education, Culture & Sport Service

Highland Local Negotiating Committee for Teachers

LNCT Agreement no.27 -

**LNCT Recognition & Procedure
Agreement (Revised)**

Framework Local Recognition and Procedure Agreement between the Highland Council and

The Educational Institute of Scotland

The Scottish Secondary Teachers' Association

Voice

The National Association of School Masters Union of Women Teachers

School Leaders Scotland

The Association of Head Teachers in Scotland.

1. The Highland Council hereby recognises The EIS, SSTA, Voice, NAS/UWT, SLS and AHTS as the sole representatives of the teaching staff, music instructors, educational psychologists, educational support officers and quality improvement officers 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 School Education dealing with:
 - Cover agreements
 - Appointments 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
 - 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 and quality improvement officers

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 Highland Council Local Negotiating Committee for Teaching Staff (LNCT). Meetings of the LNCT shall be held as and when requested by either side with the proviso that there will be at least *two* meetings in each calendar year, one of which shall include the Annual General Meeting for the purpose of approving the membership of the LNCT, reviewing any standing sub-committees, and agreeing the annual priorities. The Joint Secretaries shall be responsible for making the arrangements for meetings which shall be arranged within twenty one days of a request being lodged, or otherwise by mutual agreement.
8. The composition of each side of the LNCT shall be determined by the sides separately, but shall not exceed *four* members of each side, excluding the Joint Secretaries.
9. The LNCT will establish an executive group to take forward the LNCT's agreed priorities and any other issues as required. The executive group will comprise the Joint Secretary of each side plus two others nominated by the Management Side and Joint Union Side respectively. Substitutes may attend as required, and extra members may from time to time be co-opted. Further working groups may be established, either by the LNCT or the executive group, in order to take forward specific tasks as required.
10. The quorum for a meeting of the LNCT shall be *three* from the Management Side and *three* from the Joint Union Side. In the case of a sub-committee, the quorum shall be determined by the LNCT when the sub-committee is first established.
11. Agreements reached by the LNCT shall be binding on the Council and the signatory unions once they have been ratified by the Education, Culture & Sport Committee, and each of the parties hereto hereby confirms that they have the authority to bind the party on whose behalf they sign in terms of this Recognition and Procedure Agreement. If the Council fails to ratify the decision of the LNCT the matter will be referred back to the LNCT for further discussion and agreement.
12. 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 shall be reported to the SNCT.
13. The Joint Secretaries will be available to advise their respective sides on matters relating to agreements reached by the LNCT. In formulating such advice the Joint Secretaries may consult with each other whenever they think it appropriate.
14. 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.

15. No variation to this Recognition and Procedure Agreement may be made except with the consent of the sides to this agreement.
16. 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.
17. 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.
18. 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 LNCT. The Council further agrees not to implement any change which is the subject of dispute until the matter has been considered by the LNCT. The signatory unions, likewise, further agree not to implement any form of industrial action unless and until the LNCT has failed to achieve a resolution of the matter in dispute.
19. 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 Council

Signed on behalf of the Teachers' Side

Name Hugh Fraser
 Designation Joint Secretary LNCT
 Date 8 October 2009

Name Andrew Stewart
 Designation Joint Secretary LNCT
 Date 8 October 2009