



## **Education and Learning Service**

## **Highland Local Negotiating Committee for Teachers**

**LNCT Agreement no.1  
(revised June 2023)**

**LNCT Recognition & Procedure  
Agreement**

## **Framework Local Recognition and Procedure Agreement between the Highland Council and**

**The Educational Institute of Scotland**

**The Scottish Secondary Teachers' Association  
Community**

**The National Association of School Masters Union of Women Teachers  
School Leaders Scotland**

**The Association of Headteachers and Deputes in Scotland**

1. The Highland Council hereby recognises The EIS, SSTA, Community, NASUWT, SLS and AHDS as the sole representatives of the teaching staff and associated professionals 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
  - 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
  - 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 and associated professionals.
5. The Council 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 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 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 a minimum of 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 and will be noted at the Education Committee and each of the parties hereby confirms that they have the authority to bind the party on whose behalf they sign in terms of this Recognition and Procedure 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. The Council hereby agrees to ensure that adequate paid time off work shall be granted to all union representatives on the LNCT 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.
15. 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.

16. 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.
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 binding arbitration.

Signed on behalf of the Council

Signed on behalf of the Teachers' Side

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Name            Nicky Grant  
Designation    Joint Secretary LNCT  
Date             13 June 2023

Name            Alistair Bell  
Designation    Joint Secretary LNCT  
Date             13 June 2023