

LOCAL NEGOTIATING COMMITTEE FOR TEACHERS

At the Meeting of the Local Negotiating Committee for Teachers held in Meeting Room 2, First Floor, Council Offices, Garshake Road, Dumbarton on Tuesday, 15 March 2011 at 2.10 p.m.

Present: Councillors George Black, Jonathan McColl and May Smillie; Terry Lanagan, Executive Director of Educational Services; Dave Clarke, Head of Service (Resources), Educational Services; Graham Hutton, Head Teacher, Dumbarton Academy; Geraldine Lyden, Human Resources Business Partner, Educational Services (for Julie McGroggan, Head Teacher, St Michael's Primary School); Josephine McDaid, E.I.S.; Stewart Paterson, Teachers' Convener, E.I.S.; Janice Wardrop, E.I.S.; Gavin Corrigan, E.I.S.; and Alex McEwan, S.S.T.A.

Attending: Laura Mason, Head of Service (Quality), Educational Services; and Scott Kelly, Committee Officer, Legal, Administrative and Regulatory Services.

Apologies: Apologies for absence were intimated on behalf of Councillor Patrick McGlinchey; Olean Allison, E.I.S.; Michael Dolan, E.I.S.; and Karen Jakeman, E.I.S.

Josephine McDaid in the Chair

CHAIR'S REMARKS

Before commencing with the business of the meeting, Ms McDaid, Chair, welcomed Laura Mason, Head of Service (Quality), Educational Services, who, the Committee noted, would assume the position of Joint Secretary, Management Side, to the LNCT, following the retirement of Mr Clarke.

MINUTES OF PREVIOUS MEETING

The Minutes of Meeting of the Local Negotiating Committee for Teachers (LNCT) held on 14 December 2010 were submitted and approved as a correct record.

MATERNITY AND ADOPTION LEAVE NOTIFICATION PROCEDURES

A report was submitted by the Joint Secretary, Management Side, LNCT requesting the agreement of local amendments to the Maternity and Adoption leave notification procedures, as detailed in the report.

After discussion and having heard both Sides, the Committee agreed:-

- (1) to approve the proposed procedures listed in sections 3.3 to 3.6 and 3.8 to 3.11 of the report; and
- (2) that the Human Resources Business Partner should check that the up to date maternity policy for teachers was available on the Council's intranet website.

REVIEW OF TEACHERS' DISCIPLINE AND GRIEVANCE PROCEDURES

A report was submitted by the Joint Secretary, Management Side, LNCT seeking approval for the implementation of the revised Discipline and Grievance Policies for Teachers which had been reviewed and updated in line with the recent review of the Council's Discipline and Grievance Policy for all other employees of the Council.

After lengthy discussion and having heard both Sides, the Committee agreed:-

- (1) to approve the Disciplinary Procedures for teachers and others within the Council covered by the Scottish Negotiating Committee for Teachers (SNCT) as detailed in Appendix 1 to these Minutes, subject to the undernoted amendments being incorporated:-
 - (a) that the eighth bullet point under the heading 'Head Teachers/Managers' in section 3.1 should be amended to read, 'Allow employees to be accompanied at both formal and informal stages of any disciplinary hearing.';
 - (b) that the heading of section 10 should be amended to 'Precautionary Suspension';
 - (c) that the words, 'to the best of their ability' should be removed from section 11.8;
 - (d) that the first word in section 12.2 should be amended to 'A';
 - (e) that a new sentence should be added to the end of section 13.3 and should read, 'In exceptional circumstances, a representative may attend a disciplinary meeting on an employee's behalf, if the employee agrees.';
 - (f) that the words 'or their representative' should be inserted after the word 'teacher' in both the second and fourth sentences in section 13.8; and
 - (g) that changes should be made throughout the document to clarify that the Procedures would be applicable to all staff within the Council who were covered by SNCT terms and conditions, and not only teachers;
- (2) to delegate authority to the Joint Secretaries to agree on the procedures for the training of investigating officers in relation to disciplinary matters;

- (3) to delegate authority to the Joint Secretaries to agree the wording of a paragraph to be inserted in section 11 of the Disciplinary Procedures intimating that, in disciplinary cases where, following an investigation, there was no case to answer, support would be provided for the teacher concerned;
- (4) to approve the Grievance Procedures for teachers and others within the Council covered by the SNCT as detailed in Appendix 2 to these Minutes, subject to the undernoted amendments being incorporated:-
 - (a) that in the second sentence in section 7.3, the words, 'e.g. where the grievance is against the Head Teacher him/herself', should be inserted after the words, 'Stage 1'; and
 - (b) that a pro forma for submitting a written statement of grievance to the Children's Services Disciplinary & Grievance Sub Committee should be appended to the Grievance Procedures;
- (5) to delegate authority to the Joint Secretaries to agree a rewording of section 7.4 of the Grievance Procedures; and
- (6) to delegate authority to the Joint Secretaries to agree an expanded version of Appendix 4 to the Grievance Procedures, 'Stage 1 & 2 – Grievance Hearing Procedure'.

VALEDICTORY

Ms McDaid, Chair, informed the Committee that this would be the last meeting of the Committee that Mr Clarke would be attending as he was retiring from Council service.

Ms McDaid and all of the elected members present thanked Mr Clarke for the contribution which he had made to the Local Negotiating Committee for Teachers and to Educational Services in West Dunbartonshire and wished him a happy retirement.

In response, Mr Clarke thanked the Committee for its kind wishes.

The meeting closed at 3.50 p.m.