



# Post-16 Education (Scotland) Act 2013

## 2013 asp 12

### *Collective bargaining framework for college staff*

#### **18 Collective bargaining framework for college staff**

After section 15 of the 1992 Act insert—

##### **“15A Collective bargaining framework for college staff**

- (1) Before making regulations under section 3(6) of this Act which prescribe requirements which relate to collective bargaining arrangements in respect of any contracts entered into in pursuance of section 12(2)(h)(i) of this Act, the Scottish Ministers must—
  - (a) establish an advisory committee, to be known as the National Pay and Conditions Advisory Committee for Scotland's Colleges, for the purpose of making recommendations to them, by such time as they may specify, about—
    - (i) the outcomes which the regulations should seek to achieve; and
    - (ii) how the regulations should seek to achieve those outcomes; and
  - (b) have regard to any recommendations made by the committee.
- (2) When making any such regulations, the Scottish Ministers must have regard to the desirability of ensuring that the regulations are framed in accordance with any guidance issued by the Advisory, Conciliation and Arbitration Service (ACAS) which relates to the form of schemes which govern how employees' terms and conditions may be negotiated or determined.
- (3) A committee established under subsection (1)(a) above is to be comprised of—
  - (a) 4 persons who appear to the Scottish Ministers to be representative of the interests of boards of management;
  - (b) 4 persons who appear to the Scottish Ministers to be representative of the interests of trade unions recognised by boards of management or who otherwise appear to them to be representative of the teachers and other staff employed by boards of management;
  - (c) a person appointed by the Council (such person being a member of the Council or an employee of the Council); and

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**Changes to legislation:** There are currently no known outstanding effects for the Post-16 Education (Scotland) Act 2013, Section 18. (See end of Document for details)

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- (d) other persons appointed by the Scottish Ministers.
- (4) The Scottish Ministers may—
- (a) make or authorise the Council to make further provision about the constitution, remit or procedure of the committee;
  - (b) provide or authorise the Council to provide the committee with financial or other support (including by paying allowances to members of the committee in respect of expenses).’.

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**Commencement Information**

**II** S. 18 in force at 13.1.2014 by [S.S.I. 2013/348](#), art. 2, [Sch.](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Post-16 Education (Scotland) Act 2013, Section 18.