

Email chain 1**From:** Director of Advanced Learning and Science**Sent:** 14 May 2017 11:56**To:** Deputy First Minister and Cabinet Secretary for Education and Skills; Minister for Further Education, Higher Education and Science**Cc:** DG Learning & Justice; Johnston P (Paul); Smart P (Paul); (Redacted); (Redacted); (Redacted); Director of Advanced Learning and Science**Subject:** RE: IMMEDIATE - EIS/COLLEGES SCOTLAND MEETINGS TODAY

(Redacted)

Thanks. For the benefit of others, DFM has confirmed that he'd like us to engage John Sturrock.

Paul is due to speak with John at 12.30. I've emailed John and confirmed his attendance at tonight's meetings.

A

Aileen McKechnie | Director of Advanced Learning & Science | Scottish Government

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directorofadvancedlearningandscience@scotland.gsi.gov.uk | ☎ 0300 244 1264**From:** Deputy First Minister and Cabinet Secretary for Education and Skills**Sent:** 14 May 2017 11:51**To:** Director of Advanced Learning and Science; Minister for Further Education, Higher Education and Science**Cc:** Director of Advanced Learning and Science; DG Learning & Justice; Johnston P (Paul); Smart P (Paul); (Redacted); (Redacted); (Redacted)**Subject:** Re: IMMEDIATE - EIS/COLLEGES SCOTLAND MEETINGS TODAY

Hi Aileen

The DFM said that he has spoken to Paul and asked him to take this forward. Paul could perhaps fill you in on the details of that conversation.

Thanks

(Redacted)

Sent from my BlackBerry 10 smartphone.

From: Director of Advanced Learning and Science**Sent:** Sunday, 14 May 2017 11:13**To:** Deputy First Minister and Cabinet Secretary for Education and Skills; Minister for Further Education, Higher Education and Science**Cc:** Director of Advanced Learning and Science; DG Learning & Justice; Johnston P (Paul); Smart P (Paul); (Redacted); (Redacted); (Redacted)**Subject:** IMMEDIATE - EIS/COLLEGES SCOTLAND MEETINGS TODAY

(Redacted), (Redacted)

We're preparing briefing for today's meetings and hope to get that to you shortly.

One further thought. Recognising the difficulties with the negotiations, and that even the introduction of ACAS at an earlier stage had little positive impact on relationships and behaviours, I wondered if we might introduce a trained mediator (such as John Sturrock) into the mix. I've discussed the situation informally with John very recently. If ministers were so minded, we might invite John to attend the meetings today as a third party external observer.

I'd welcome early views on this please.

Many thanks,

Aileen

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I AM AN ALLY

Email 2

(Redacted)

I promised to e-mail recording my approval of an NCA regarding the urgent appointment of John Sturrock QC to act as mediator in relation to the on-going FE sector pay and terms dispute. While the dispute itself is not new, the need for SG to intervene by appointing an independent mediator was new and required immediate action. As we discussed, in these circumstances I am content that the urgent nature of the appointment meant that competition was not possible. I am also content that John Sturrock QC was appointed in view of his proven expertise and track record as a mediator and his familiarity with the sector (given his work in relation to UHI).

I mentioned that we had disclosed information regarding the UHI appointment along with other NCA approvals earlier this year. The link below takes you to our 2017 FOI disclosures.

<http://www.gov.scot/Topics/Government/Procurement/freedom-of-information/recent-disclosures/FOIResponses2017>

Given that the UHI appointment was very recent I assume that this appointment will be on the same terms, in which case there would be no need for a new contract as such, but it would be worth someone confirming in writing (if we haven't already done so) with either Mr Sturrock QC or Core Solutions that this is the basis on which the pay dispute mediation services will be provided (I assume you remain content with the UHI related contract terms, including day/hourly rates). We do however need to document the NCA on the new system being rolled out, see the guidance below.



If you run into any problems with the process/system get in touch with me or (Redacted). I hope that's helpful, let me know if you need anything else.

Regards

Paul.

Paul McNulty MCIPS
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