

STUC – Jamie Hepburn Meeting
11.00 am – 12.15 pm
10 July 2020
Note of Meeting

On call

Rozanne Foyer, STUC General Secretary Designate (RF)

Helen Martin, STUC Deputy General Secretary (HM)

NR, Unite **NR**

NR FBU **NR**

NR EIS **NR**

NR Prospect **NR**

NR UCU and STUC Disabled Workers' Committee **NR**

SG Side

Jamie Hepburn, Minister for Business, Fair Work and Skills (JH) and Christina McKelvie, Minister for Older People and Equalities (CM) and a range of supporting officials.

Opening Remarks

JH welcomed everyone and CM to the meeting and thanked all for joining the call. JH reiterated that CM had now taken on responsibility for the sectoral guidance and would be joining in calls on a regular basis.

1) Update from Actions

JH provided updates as under:

Arts and Culture

JH referred to the announcement by the UK Government on funding for arts, culture and heritage and that the Scottish Government will receive a proportion of this through the Barnett consequential, and how the Scottish Government will look to support this sector. JH noted the recurring theme at discussions is that the heritage sector will require support to assist in getting it back up and running and that the Scottish Government had since established a relief fund, details of this would be published shortly.

RF spoke of the letter forwarded to **NR** earlier today, in her capacity as Cabinet Secretary for Culture, seeking an urgent meeting and to bring together key players and Unions for a discussion on how the money will be spent going forward. The STUC and Unions have stated that there are real gaps in the support for operators in this sector and that it is important that as well as the venues being supported it was equally important to ensure some of this support goes into pockets of the workers themselves.

JH noted the letter and advised that officials take this away and that the creative and culture industries had been very helpful in pulling together the sectoral guidance.

NR advised of similar concerns in heritage and although they are not as deep as culture but that there is a desire to have a conversation as to how heritage is across Scotland and to look at provisions on back of the situation at **I&S**. **NR** advised that it would be helpful to have a holistic discussion about the heritage sector as it is a key sector and there are particular worries.

JH had chance to discuss **I&S** and advised that there has been exchange of correspondence and **NR** had encouraged **I&S** to share any revised business case / turnaround plan with themselves and the Union – although this information is still awaited.

JH reported on aviation and that the Scottish Government is working through proposals to create stakeholder groups to support the sector through this difficult and demanding time and of the negative impacts on the workforce and would include unions. JH advised that Transport Scotland would be in touch to facilitate this dialogue. JH further advised on the challenge in aerospace and confirmed there is union representation on this group.

RF underlined the urgency in this area and of the real desperation for some deep and meaningful discussion with the Scottish Government and employers but reiterated the disappointment in learning that discussions between the Scottish Government and employers had already been held without Union involvement.

NR advised that he had highlighted this situation before but that it is progressively getting worse and commented on the outrageous actions by some companies (**I&S**) in firing and rehiring with different terms

and conditions. **NR** welcomed that there appeared to be a commitment of stakeholder working groups and asked that JH clarify what was meant by 'various' stakeholder working groups. In respect of aerospace, JH was correct that there is union representation on this but below that there are individual company response groups with the Scottish Government (for instance, **I&S** of which there is no trade union representation on this group which is causing issues. **NR** spoke of mixed messaging of the **I&S** group whereby the group has been advised they are looking at saving jobs but that the Chief Executive is saying that jobs will require to go in certain areas, and because of this there needs to be direct involvement by the trade unions. **I&S** Shop Stewards have asked Unite to request face to face meeting to include the shop stewards and FM.

JH advised that he is not directly involved in aviation but has some involvement in terms of aerospace. He advised that he had held a useful discussion with Unite and GMB earlier this morning and had also spoken to the company and will take away the point **NR** made in terms of union representation on the **I&S** working group and that there was not deliberate attempt to not engage on the Scottish Government's part and are pursuing this. JH further reassured that there are no other company specific working groups as per **NR** query above. In respect of the letter to the FM on 25 June by **NR** Unite, JH advised that he did reply on 29 June but hadn't heard anything back, although was aware that a further letter had been sent to the FM. The FM made the point in Parliament that engagements with unions are as regular as possible and JH had pressed this with Unite and GMB.

NR thanked JH for the feedback but understood that Menzies had requested financial support and that **I&S** had been given a rate relief. **NR** requested that any sector support should be tied into the Fair Work principles. **NR** further advised that Unite has been through a bitter dispute with **I&S** and the Central Arbitration Committee had recently awarded Unite union recognition at **I&S** and that both **I&S** and Menzies do not have a good record as to how they look upon unions or Fair Work principles.

JH reminded that the Scottish Government have FW First Principles and is always happy to discuss this with Unions and at looking to embed Fair Work into any financial support provided by the Scottish Government. JH referred to the joint statement on Fair Work principles and of the work in renewing this statement and that they are close to it being finalised and published next week.

NR advised that he would raise issues on aviation with the Tourism Taskforce which would be meeting shortly.

Action: Arts, culture and heritage industry funding: Officials to follow up on STUC letter to the Cab Sec requesting a meeting on how the UK money for the arts, culture and heritage industry should be spent.

Action: **I&S Working Group: Officials to consider options for increased engagement between Trade Unions and the Rolls Royce Working Group.**

Action: Aviation: Officials to contact unions in aviation sector with regards to working groups.

2) Response

Update on BAME Stats and Covid-19 in Scotland

JH understood the concerns that evidence has shown the BAME community have been adversely affected by Covid and this is reflected in guidance provided. JH advised that the Chief Executive has also written to all health boards about race equality and would be writing further in regard to strengthening networks and further advised that a new reference group had been established to look at the continued forming of understanding.

CM advised that for purposes of the meeting, there has been correspondence between the STUC Black Workers' Committee and the FM. The Committee has been written to with the offer to meet with CM to go over the work that has been taken forward by the above mentioned group, which is being taken forward. CM spoke of the challenges around getting the data and that the reference group had its 3rd meeting yesterday and that additional data will be circulated next week. The group is looking where there are data gaps. Questions had been put forward around data and risk with a deadline of 14 August for the group to consider and stats would be provided when available.

Ian Turner (IT), Scottish Government official, advised that they are looking in particular to see what the NRS data showed on and the lack of depth in the understanding of data on BAEM and that the NRS had to do some data linkages between their own statistics. The group will focus on priority for action; how this can be improved; the potential for a second wave; and what actions should be taken for patients, health staff and communities. IT further advised that systemic issues were also being looked at more broadly for BAME in communities and asked if there were any particular questions to be asked of the group.

RF thanked colleagues for the update and was pleased to hear work is focusing on action now as the data is not what it should be but noted that this would take a while to fix. There are a range of issues facing BAEM that are self-evident and RF did not wish to hold up on any action to mitigate this for these workers in terms of the safety guidance or to tackle more systemic issues that BAME communities face and would be happy to take forward the offer of further engagement.

Action: Ethnic minority communities: Officials to follow up on a meeting between Ms McKelvie and the STUC Black Workers Committee to discuss concerns over ethnic minority communities and COVID 19.

Presentation on Framework on phasing and moving through phases

JH referred to the announcement yesterday in terms of the route map and of the move into phase 3, which was clearly in recognition of good practice of tackling covid-19 but was also clear that we are not out of this yet and of the need to continue to move carefully. As discussed at previous meetings, substantial issues around social distancing and face coverings is part of this process and that NR works in the Covid Exit Strategy Team would provide further information.

NR advised that the Team is working on a number of publications including the Framework for Decision Making and is also leading on the 3 weekly review process from moving from phase one to the next. The Team also look at how priorities changes in each phase and how Scotland is moving forward. The Framework for Decision Making was established with the overall objective to sustain and control the virus. It was noted the Team are making good progress on this and on the 3rd July, numbers were estimated that there were only 1,000 infectious individuals in Scotland and

is now down by 500 and may be lower today. This is down from a high of 21,500 cases in March and anticipate that this will be very low overall shortly. The approach recognises a negative impact on health and society and economy and every change in route map has been assessed for their relative impact across Covid and non-Covid health with the involvement of the Chief Medical Officer at all times. They are currently thinking about how to prioritise restrictions – in phase 1 looked they looked at the limited impact on R numbers and was successful through this; phase 2 lifted the lower number of cases; and now in phase 3 they are starting to look at bigger changes around the re-opening of communal prayer and worship places with restrictions, and hotel accommodation and can take slightly bigger steps with the assurance that overall infectious cases are kept low. The Team is learning around how to mitigate risks and as time progresses it is hoped that they can make further changes with less risks due to this learning as well as looking at other parts of UK on opening up and the impacts of what these are. It was noted it was inevitable that this has created anomalies and that is down to question of communitive impacts. In respect of the 3 weekly assessments and whether they met the criteria to move to next phase it looks at R number and security in place and implements the World Health Organisation's 6 phases of lockdown criteria and the Scottish Government would publish supporting evidence for moving into each phase the day after each phase review. It was noted that the supporting paper on the decision to move to Phase 3 would be published later today. In the context on preoccupations at the moment – the Covid Advisory Group is considering the importation risk and as we get down to lower numbers of infections in Scotland to consider how to mitigate these risks and stamp out any further outbreaks. [NR] advised there had been a lot of focus on the R number to date and flagged up that around this point in time the R number will become slightly less relevant and that more thought would be given to the basket of measures on mortality rate, test and trace etc.

JH thanked [NR] for the very helpful update and continuing to publish huge variety of guidance required of which CM is responsible for going forward. JH referred back to the query on face coverings in retail settings and advised of the guidance which details the clear responsibility of workers in this regard.

RF thanked [NR] for the update and for the understanding of where modelling is at and the decisions made going forward; and was pleased to hear that the virus has been suppressed but was aware that this is still a very critical stage in the exit strategy and from the STUC and Unions point

of view, workplaces are high risk areas where the virus will spike and requested they keep a close eye on this.

2m v 1m

NR referred to his previous comments at the last meeting and of the real concerns and dangers in the deduction of the social distancing rule of 2 metres to 1 metre. He noted the advice on the reduction but gave the example in the bus industry, where the reality is that if you half the social distancing requirements on buses then you double the amount of people allowed on buses, and this therefore brings its own risks in terms of person to person contact, and also in terms of future usage of buses it may backfire whereby if people start to see buses stacked to the gunnel this may deter people from using these services. **NR** also reported on the confused messages developing over where the social distancing rules apply and of the danger that 2 metres is clear in people's minds, and that mixed message perception creates dodgy perceptions in people's minds. **NR** responded to the statement above around learning lessons from elsewhere in the UK and that the hospitality industry opened up last weekend in England, and wondered why more time had not been taken to learn the lessons prior to Scotland announcing the opening up of the sector, if there are going to be spikes and evidence of Covid cases breaking out it would some take time for them to manifest themselves. There is a perception beginning to develop that this is being driven by economy and politics rather than public health. In terms of wearing face masks, the transport industry wanted this to be mandatory from the start but made clear at outset this was not a substitute for other measures but to be in addition to and now we are having a discussion about potential reduction which is causing great concern.

JH responded advising that of course economy is part of the situation, there is an economic challenge prevailing upon us now but notwithstanding this, the public health position remains the paramount concern and there is no sense of anything other than this. The Scottish Government are trying to reduce restrictions and they are only in place so long as they are necessary. The wearing of face coverings where mandatory is not in lieu, or in place, of any other restrictions necessary. JH spoke of the spike in virus in Dumfries and of the travel restriction imposed and reassured that public health has been, and continues to be, the primary focus is responding to Covid-19 and of any loosening of restrictions. If we have to move back and reimpose then the Scottish Government will do so.

NR referred to the question raised by **NR** in respect of hospitality and issues arising in England where there have been a number of well publicised cases on pubs being opened then closed just as quickly due to persons testing positive for Covid and advised that the Scottish Government are looking at this very closely and if any issues emerge they will give this more focus.

NR echoed **NR** concerns above surrounding around mixed messaging and of the problems this creates. **NR** advised that he is involved in the Education Recovery Group which is working through this and flagged up issues around waiving face coverings for pupils over 5 years traveling on school transport. If this is not waived and mandatory face coverings is maintained for school transport, as is public transport, this raises a contradiction. School pupils can sit on a bus for 30 minutes with face covering but then they are sitting in a classroom for 5 hours without. A broader issue for the Scottish Government to consider is the consistency of messaging so that people understand, the more variation you bring in in terms of different contexts, the harder it is for people to be reassured that this is a public health message.

JH appreciated **NR** comments and that there are a variety of factors of greatest risk, proximity, and practicality. The Education Advisory Group would be the best forum to raise this particular issue but on the wider point, JH agreed to take away and give this some consideration. It was noted that circumstances are changing all the time and the Scottish Government has been very clear that schools will reopen when public health allows it. JH noted the ongoing process of iterative change in terms of restrictions and agreed to take this on board.

3) Recovery

Update on UK Government budget announcement

RF advised the STUC and Unions were keen to start a dialogue on the UK Government's announcements and of the implications for spending in Scotland. There requires to be a deep investment to develop the economy if they are serious about building and creating jobs. RF was sceptical about the voucher system etc. and was looking for the Scottish Government to provide further information as to how these will be applied in Scotland and wished to take the issue around conditionality forward. The Scottish Government have a huge opportunity to get the Fair Work issues underlined now for the Scottish Government to give maximum

leverage to get Fair Work principles included in any funding to organisations.

JH agrees with RF's comments and advised that he hoped to be on leave next week but would be happy for a full discussion on this. His initial response is, in terms of what was announced, that he is not surprised but disappointed, as they were promised that there would be new deal type of budget and felt that this was just a re-thread of what will be invested anyway. The consequences for the Scottish Government budget are that there is very little by way of consequential of the £21b pounds likely to receive. The UK Government is not looking at extending the Furlough scheme again and also the lack of any consideration of support for those experiencing financial difficulty in the present time but that the Scottish Government's own response by Kate Forbes, speaking yesterday that there will be a further £100m investment on training, and that FH will set out more details of this in due course. In terms of the Kick Start scheme this is not wholly a UK scheme (Northern Ireland have different arrangements) and that Scotland will not be able to exercise direct so very much predicated on minimum wage as opposed to living wage. The Scottish Government will be engaging in dialogue and speaking to the DWP about it but that they are still to get sense of what this means in practical terms and advised that they will continue to press the Fair Work agenda. JH will liaise with officials as to whether a discussion could be facilitated next week with one of his colleagues and that he would pick up further following week once back from annual leave.

RF – thanked JH for the useful information and for extending meeting. Want to take up offer of further discussion on budget. Appreciate limitations that this has offered.

Action: SG position on UK Gov budget announcement: Relevant officials to organise call with STUC to discuss further.

Support for disabled workers' into employment

NR asked the Scottish Government to give consideration as to how they can support disabled workers into Fair Work in particular graduates. It was noted that many disabled workers will have had assessments and requested if consideration could be given to this information being used by employers to assess the needs in the workplace and access to work -

for instance some type of passport similar to the reasonable adjustment passport.

JH thanked **NR** for her comments and would be more than happy to look at this. JH recognised the challenge and that reducing the gap has been slow. The Scottish Government is still very committed to the Disability Action Plan and work is underway on this particular area. JH agreed that they have to take this seriously and consider whether or not they can facilitate the suggestion of a passport and reiterated that he would be happy to take this away and give it some consideration. JH advised that a lot of officials time has been diverted to Covid but they are still looking at other areas and liaising with disabled people's organisations to look at challenges in terms of the barriers faced in workplaces and further noted that Access to Work is underutilised.

CM reported on the social renewal work which Shirley Ann Sommerville and **NR** were working on and advised of the Advisory Board with specific circles, disability, and age from an intersectional point of view, and would be interested to hear of any ideas on the renewal and recovery stage in coming out of Covid and reiterated that they do not wish to go back to normal. CM requested that **NR** link in with work around this.

NR thanked CM and that she and the STUC Disabled Workers' Committee would be happy to work with the Scottish Government to ensure as many disabled people as possible re-enter the workplace.

JH further agreed he would be happy to pick up on this and that it would be helpful to have discussion a discussion with members of the STUC Disabled Workers' Committee.

NR Scottish Government official, advised that there are no current plans at the present time to introduce passports into HE but would feed in and continue dialogue.

Action: Disabled workers: Officials from the social renewal advisory board who deal with disability and age discrimination to contact **NR (UCU + STUC Disabled Workers Committee) in order to begin dialogue over union concerns. Mr Hepburn to be kept updated.**

Closing Remarks

It was noted JH would be on leave on Friday 17 June but that arrangements would be put in place for a colleague of JH to be at the meeting.