

1. From: Leaver E (Ellen) <Ellen.Leaver@gov.scot>

Sent: 05 August 2022 13:24

To: Deputy First Minister and Cabinet Secretary for Covid Recovery <DFMCSCR@gov.scot>

Cc: First Minister <firstminister@gov.scot>; Cabinet Secretary for Social Justice, Housing & Local Government <CabSecSJHLG@gov.scot>; Cabinet Secretary for Education and Skills

<CabSecES@gov.scot>; Cabinet Secretary for Health and Social Care <CabSecHSC@gov.scot>;

Minister for Social Security and Local Government <MinisterSSLG@gov.scot>; Minister for Public

Finance, Planning & Community Wealth <MinisterPFPCW@gov.scot>; Permanent Secretary

<PermanentSecretary@gov.scot>; DG Communities <DGCommunities@gov.scot>; Johnston P (Paul)

<Paul.Johnston@gov.scot>; DG Scottish Exchequer Mailbox <DGScottishExchequer@gov.scot>; DG

Education & Justice <dgej@gov.scot>; Director for Local Government and Housing

<DirectorForLocalGovernment&Housing@gov.scot>; Redacted <Redacted @gov.scot>; Redacted <

Redacted @gov.scot>; Redacted <Redacted @gov.scot>; Redacted <Redacted @gov.scot>;

O'Donnell (Sarah) <Sarah.O'donnell2@gov.scot>; Chief Financial Officer <cfo@gov.scot>; Black E

(Elise) <Elise.Black@gov.scot>; Redacted <Redacted @gov.scot>; Director of Budget and Public

Spending <Directorofbudgetandpublicspending@gov.scot>; McLaren D (Douglas)

<Douglas.McLaren@gov.scot>; Redacted <Redacted @gov.scot>; Redacted <Redacted@gov.scot>;

Director of Learning <DirectorofLearning@gov.scot>; Redacted <Redacted @gov.scot>; Redacted <

Redacted @gov.scot>; McAllan M (Mary) <Mary.McAllan@gov.scot>; Redacted <Redacted

@gov.scot>; O'Donnell J (Jane) <Jane.O'Donnell@gov.scot>; McAllister C (Colin)

<Colin.McAllister@gov.scot>; McCaig C (Callum) <Callum.Mccaig@gov.scot>; Higgins K (Kate)

<Kate.Higgins@gov.scot>; Redacted <Redacted @gov.scot>; Redacted <Redacted @gov.scot>;

Communications Finance & Economy <CommunicationsFinance&Economy@gov.scot>; Redacted <

Redacted @gov.scot>; Redacted <Redacted @gov.scot>; Redacted <Redacted @gov.scot>;

Redacted <Redacted @gov.scot>; Communications Social Justice, Housing & Local Government

<CommunicationsSocialJusticeHousing&LocalGovt@gov.scot>

Subject: Update: Local Government Pay Negotiations – 5 August 2022

Deputy First Minister

Copy as above.

Outcome of COSLA Leaders Discussion Today

1. COSLA Leaders met this morning to discuss revising their pay offer to the local government workforce, and consider the meeting you held with the COSLA President, Resources Spokesperson and Political Group Leaders on Wednesday, alongside as your confirmation by letter of a financial contribution of £140 million.
2. COSLA Leaders remain committed to seeking to offer a 5% pay rise to their workforce, however they have requested that COSLA seek some further information and clarification on the following:
 - a. that the contribution offered by the Scottish Government is the maximum possible
 - b. that there is a genuine commitment to prioritising providing this funding on a recurring basis
 - c. that COSLA meet with the Trade Unions to discuss how best to configure a revised offer to maximise likelihood of success
 - d. that COSLA write to the UK Government in similar terms to your previous letter to urge them to provide increased funding in support of public sector pay
3. In my discussion with COSLA officers, they understand that the contribution is indeed the maximum possible, and the main question is about the recurring nature of the funding.

They do however consider that they now need some further discussion this week to seek the affirmation of the SG position which Leaders have requested.

4. COSLA also intend to seek a face to face meeting with the Trade Unions potentially as soon as Tuesday, which in addition to seeking further information to inform Leaders' decisions on configuration of a revised offer, will hopefully also assist in managing the current narrative in the media about lack of engagement.
5. In the meantime COSLA plan to issue the following lines:

“We held constructive discussions with Scottish Government earlier this week. Leaders met virtually today and at this meeting agreed that they needed further information.
Given the importance of a pay award for our workforce, Council Leaders wanted to seek further clarification from both the Scottish Government and UK Government and will reconvene in the next seven days to further discuss this matter.”
6. Further to discussion with Special Advisers, we will therefore propose to update the Scottish Government's lines with explicit reference to the £140 million contribution we have provided, welcoming the recognition of the role of the UK Government, and urging resolution. Communications colleagues will develop and submit revised lines accordingly for your clearance.
7. The subsequent COSLA meeting would take place next Friday 12 August, meaning the earliest an offer would be made to the Trade Unions is Monday 15 August. This does pose some increased risk in respect of the strikes among waste workers in Edinburgh scheduled to commence from 18 August, however it is still within a timeframe which would see those cancelled and the calling of further strike action postponed - if the unions are prepared to put the eventual offer to their members.

Decision

8. **That you confirm whether**
 - a. **you wish to undertake a short (virtual) meeting with Councillor Hagmann to confirm the SG position, or**
 - b. **you wish officials to take forward providing that confirmation, on the basis that your letter sets it out the position in full.**

Ellen Leaver | Deputy Director, Local Government and Analytical Services | Scottish Government | LL: 0131 Redacted | Mob: Redacted

I am now working from VQ by default, please feel free to consider In Person meetings if suitable.

2. From: McAllister C (Colin)

Sent: 09 August 2022 10:01

To: McCaig C (Callum) <Callum.Mccaig@gov.scot>; Dobson L (Leanne) Leanne.Dobson@gov.scot

Subject: RE: COSLA Pay/Industrial Action

Thanks. Just for clarity / certainty, where the official says: “if a 5% offer were made Unions would have to take that back to their members as a significantly increased offer. So yes all strike action would be postponed/cancelled in those circumstances” are the unions obligated in law to postpone / cancel or is this just our speculation?

Regards

Colin McAllister
0131 Redacted
Redacted



Scottish Ministers, Special advisers and the Permanent Secretary to the Scottish Government are covered by the terms of the Lobbying (Scotland) Act 2016. See www.lobbying.scot.

From: McCaig C (Callum) <Callum.Mccaig@gov.scot>
Sent: 08 August 2022 16:47
To: McAllister C (Colin) <Colin.McAllister@gov.scot>; Dobson L (Leanne) <Leanne.Dobson@gov.scot>
Subject: COSLA Pay/Industrial Action

Response from officials for info

LG Industrial Action

On 26 July the LG industrial action ballots closed.

Between the three trade unions we understand they have secured a mandate to disrupt the operation of over 1,200 schools (including early years) across 16 councils and the waste/recycling services across 25 councils.

COSLA confirmed last week that at that point between the three Trade Unions they had a mandate for some form of industrial action across 29 councils, including some in which all three trade unions had secured a mandate.

The mandate obtained lasts for 6 months (>26 January 2023), any trade union calling a strike across its members in the relevant workforce must provide 14 days' notice.

So far only one Council has received a strike notice:

- Unite has provided notice that its workers in waste collection services will strike from 18-30 August, therefore during the Edinburgh Festivals.
- GMB has confirmed its members in Edinburgh will join them in the action.

We understand that the three unions are seeking to coordinate their action, with 'waves' of strikes affecting councils. It is understood that action to target schools may begin in September and that a second wave of strikes could take place in other cities - Aberdeen, Dundee and Glasgow.

The view last week and in the preceding weeks was that if a 5% offer were made Unions would have to take that back to their members as a significantly increased offer. So yes all strike action would be postponed/cancelled in those circumstances.

What I don't have a sense of is whether that goal post has changed, and COSLA may only know it after their meeting on Wednesday.

Callum McCaig

Special Adviser to the First Minister
0131 Redacted
Redacted

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3. From: McAllister C (Colin) <Colin.McAllister@gov.scot>
Sent: 23 August 2022 09:48
To: First Minister <firstminister@gov.scot>
Cc: Lloyd E (Elizabeth) <Elizabeth.Lloyd@gov.scot>; Hutchison D (David) (Special Adviser) <David.Hutchison@gov.scot>; McCaig C (Callum) <Callum.Mccaig@gov.scot>; Higgins K (Kate) <Kate.Higgins@gov.scot>
Subject: Commission

FMPO

Can you commission some urgent advice as below please?

Top copy should be Paul Johnson as DG and Sean Neill as Director for Local Government and Communities and Ellen Leaver on Local Govt. Copy DFM, CS Social Justice, Perm Sec, me, Liz, Kate H, Callum M, Davie H, and also, given the likely relevance of public health legislation, please also copy CS Health, CMO, DG Health and the Director of Population Health inbox (which should get it to Richard Foggo / Christine McLaughlin for public health purposes).

Commission reads:

Paul

Given the ongoing industrial action by members of Unite and the GMB in Edinburgh City Council's waste services, the First Minister would like urgent advice on what options are available to Ministers.

[Redacted]

The First Minister would welcome this advice in the early course of today. Please keep Special Advisers sighted as the advice is prepared.

Regards

Colin McAllister
0131 Redacted
Redacted



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4. From: Redacted <Redacted@gov.scot> On Behalf Of First Minister

Sent: 29 August 2022 10:11

To: Director for Local Government and Housing <DirectorForLocalGovernment&Housing@gov.scot>; Deputy First Minister and Cabinet Secretary for Covid Recovery <DFMCSCR@gov.scot>; Lamb C (Caroline) <Caroline.Lamb@gov.scot>; Johnston P (Paul) <Paul.Johnston@gov.scot>; Minister for Social Security and Local Government <MinisterSSLG@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; Leaver E (Ellen) <Ellen.Leaver@gov.scot>

Cc: Permanent Secretary <PermanentSecretary@gov.scot>; First Minister <firstminister@gov.scot>; Chief Financial Officer <cfo@gov.scot>; Thomson KAL (Ken) (Director-General) <Ken.Thomson@gov.scot>; Griffin J (Joe) <Joe.Griffin@gov.scot>; DG Communities <DGCommunities@gov.scot>; DG Corporate <dgcorporate@gov.scot>; DG Health & Social Care <DGHSC@gov.scot>; Russell GE (Gillian) <Gillian.Russell@gov.scot>; DG Scottish Exchequer Mailbox <DGScottishExchequer@gov.scot>; Watson AA (Andrew) <Andrew.Watson@gov.scot>; McCallum R (Richard) <Richard.McCallum@gov.scot>; Redacted <Redacted@gov.scot>; Redacted <Redacted@gov.scot>; Redacted <Redacted@gov.scot>

Subject: RE: LG Pay discussions - summary from 28 August 2022 - official sensitive

Many thanks as ever, Sean. FM has noted the latest update.

In addition, can I have clarity on the timing of all the Union's meetings today and therefore the time by which we will have clarity on their positions, to allow us to present the most up-to-date position to FM?

Also, can we have a summary of what the impact on planned strikes will be if (a) only unison pause; (b) unison and unite pause

Thanks,
Redacted

Redacted

Deputy Private Secretary to the First Minister
Office of the First Minister

5th Floor | St Andrews House | Regent Road | Edinburgh | EH1 3DG | 0131 Redacted



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From: Director for Local Government and Housing
<DirectorForLocalGovernment&Housing@gov.scot>

Sent: 28 August 2022 22:11

To: Deputy First Minister and Cabinet Secretary for Covid Recovery <DFMCSCR@gov.scot>; Director for Local Government and Housing <DirectorForLocalGovernment&Housing@gov.scot>; Lamb C (Caroline) <Caroline.Lamb@gov.scot>; Johnston P (Paul) <Paul.Johnston@gov.scot>; Minister for Social Security and Local Government <MinisterSSLG@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; Leaver E (Ellen) <Ellen.Leaver@gov.scot>

Cc: Permanent Secretary <PermanentSecretary@gov.scot>; First Minister <firstminister@gov.scot>; Chief Financial Officer <cfo@gov.scot>; Thomson KAL (Ken) (Director-General) <Ken.Thomson@gov.scot>; Griffin J (Joe) <Joe.Griffin@gov.scot>; DG Communities <DGCommunities@gov.scot>; DG Corporate <dgcorporate@gov.scot>; DG Health & Social Care <DGHSC@gov.scot>; Russell GE (Gillian) <Gillian.Russell@gov.scot>; DG Scottish Exchequer Mailbox <DGScottishExchequer@gov.scot>; Watson AA (Andrew) <Andrew.Watson@gov.scot>; McCallum R (Richard) <Richard.McCallum@gov.scot>; Redacted <Redacted@gov.scot>; Redacted <Redacted@gov.scot>; Redacted <Redacted@gov.scot>

Subject: RE: LG Pay discussions - summary from 28 August 2022 - official sensitive

DFM, Minister and colleagues

[Redacted]

Next Steps

All three unions will take the proposal to their committees tomorrow and put the offer to their members. We expect Unison to recommend the pay deal and that they will they pause any strike action while the ballot takes place (the ballot will last 2-3 weeks). Unite will meet at 14:00 tomorrow and at this point it is unclear whether or not they will recommend that their members accept the deal, but COSLA remain hopeful they will. As the deal does not provide the flat rate that the GMB asked for they will reject it.

We have worked with Comms over the course of the day to develop lines for tomorrow and will work with COSLA to ensure co-ordination of messages highlighting the strengths of the deal.

SJC will be called immediately after the ballots close.

Sean Neill

5. From: Leaver E (Ellen) <Ellen.Leaver@gov.scot>
Sent: 24 August 2022 17:20
To: First Minister <firstminister@gov.scot>; Deputy First Minister and Cabinet Secretary for Covid Recovery <DFMCSCR@gov.scot>; Redacted <Redacted@gov.scot>
Cc: Permanent Secretary <PermanentSecretary@gov.scot>; DG Communities <DGCommunities@gov.scot>; DG Corporate <dgcorporate@gov.scot>; Chief Financial Officer <cfo@gov.scot>; DG Scottish Exchequer Mailbox <DGScottishExchequer@gov.scot>; McCaig C (Callum) <Callum.Mccaig@gov.scot>; Dobson L (Leanne) <Leanne.Dobson@gov.scot>; Director for Local Government and Housing <DirectorForLocalGovernment&Housing@gov.scot>; DG Health & Social Care <DGHSC@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; Cabinet Secretary for Social Justice, Housing & Local Government <CabSecSJHLG@gov.scot>; Minister for Social Security and Local Government <MinisterSSLG@gov.scot>; Watson AA (Andrew) <Andrew.Watson@gov.scot>; Rogers S (Shirley) <Shirley.Rogers@gov.scot>; O'Donnell (Sarah) <Sarah.O'donnell2@gov.scot>; Redacted <Redacted@gov.scot>; Redacted <Redacted@gov.scot>; Redacted <Redacted@gov.scot>; Redacted <Redacted@gov.scot>; Redacted <Redacted@gov.scot>; Redacted <Redacted@gov.scot>; Director of Environment & Forestry <director.enfor@gov.scot>; Redacted <Redacted@gov.scot>; Redacted <Redacted@gov.scot>; Redacted <Redacted@gov.scot>; McLaren D (Douglas) <Douglas.McLaren@gov.scot>; Communications Finance & Economy <CommunicationsFinance&Economy@gov.scot>; Communications Social Justice, Housing & Local Government <CommunicationsSocialJusticeHousing&LocalGovt@gov.scot>; Johnston P (Paul) <Paul.Johnston@gov.scot>; Redacted <Redacted@gov.scot>
Subject: RE: Urgent FM Request - COSLA meeting with Trade Unions today

Rebecca, a brief acknowledgment.

We'll have a word with Spads to take their views and my team will provide advice and a draft response tomorrow.

Ellen Leaver | Deputy Director, Local Government and Analytical Services | Scottish Government | LL: 0131 Redacted | Mob: Redacted

I am now working from VQ by default Mon-Thurs (WfH on Fri), please feel free to consider In Person meetings if suitable.

From: Redacted <Redacted@gov.scot> On Behalf Of First Minister
Sent: 24 August 2022 17:16
To: Deputy First Minister and Cabinet Secretary for Covid Recovery <DFMCSCR@gov.scot>; Leaver E (Ellen) <Ellen.Leaver@gov.scot>; Redacted <Redacted@gov.scot>
Cc: First Minister <firstminister@gov.scot>; Permanent Secretary <PermanentSecretary@gov.scot>; DG Communities <DGCommunities@gov.scot>; DG Corporate <dgcorporate@gov.scot>; Chief Financial Officer <cfo@gov.scot>; DG Scottish Exchequer Mailbox <DGScottishExchequer@gov.scot>; McCaig C (Callum) <Callum.Mccaig@gov.scot>; Dobson L (Leanne) <Leanne.Dobson@gov.scot>; Director for Local Government and Housing <DirectorForLocalGovernment&Housing@gov.scot>; DG Health & Social Care <DGHSC@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; Cabinet Secretary for Social Justice, Housing & Local Government <CabSecSJHLG@gov.scot>; Minister for Social Security and Local Government <MinisterSSLG@gov.scot>; Watson AA (Andrew) <Andrew.Watson@gov.scot>; Rogers S (Shirley) <Shirley.Rogers@gov.scot>; O'Donnell (Sarah) <Sarah.O'donnell2@gov.scot>; Redacted <Redacted@gov.scot>; Redacted <Redacted@gov.scot>; Redacted <Redacted@gov.scot>; Redacted <Redacted@gov.scot>; Redacted <Redacted@gov.scot>; Redacted <Redacted@gov.scot>; Redacted <Redacted@gov.scot>

@gov.scot>; Director of Environment & Forestry <director.enfor@gov.scot>; Redacted <Katriona.Carmichael@gov.scot>; Redacted <Redacted @gov.scot>; Redacted <Redacted @gov.scot>; McLaren D (Douglas) <Douglas.McLaren@gov.scot>; Communications Finance & Economy <CommunicationsFinance&Economy@gov.scot>; Communications Social Justice, Housing & Local Government <CommunicationsSocialJusticeHousing&LocalGovt@gov.scot>; Johnston P (Paul) <Paul.Johnston@gov.scot>

Subject: RE: Urgent FM Request - COSLA meeting with Trade Unions today

Colleagues,

Please find attached letter received by Councillor Cameron Day.

I would be grateful if officials could provide advice on next steps.

Many thanks,

Redacted

Deputy Private Secretary to the First Minister

Office of the First Minister

5th Floor | St Andrews House | Regent Road | Edinburgh | EH1 3DG | 0131 Redacted | Redacted



Office of the First Minister of Scotland

FirstMinister.gov.scot

Prìomh Mhinistear na h-Alba

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From: Leaver E (Ellen) <Ellen.Leaver@gov.scot>

Sent: 23 August 2022 18:23

To: First Minister <firstminister@gov.scot>; Deputy First Minister and Cabinet Secretary for Covid Recovery <DFMCSCR@gov.scot>

Cc: Permanent Secretary <PermanentSecretary@gov.scot>; DG Communities <DGCommunities@gov.scot>; DG Corporate <dgcporate@gov.scot>; Chief Financial Officer <cfo@gov.scot>; DG Scottish Exchequer Mailbox <DGScottishExchequer@gov.scot>; McCaig C (Callum) <Callum.Mccaig@gov.scot>; Director for Local Government and Housing <DirectorForLocalGovernment&Housing@gov.scot>; DG Health & Social Care <DGHSC@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; Cabinet Secretary for Social Justice, Housing & Local Government <CabSecSJHLG@gov.scot>; Minister for Social Security and Local Government <MinisterSSLG@gov.scot>; Watson AA (Andrew) <Andrew.Watson@gov.scot>; Rogers S (Shirley) <Shirley.Rogers@gov.scot>; O'Donnell (Sarah) <Sarah.O'donnell2@gov.scot>; Redacted <Redacted @gov.scot>; Redacted <Redacted @gov.scot>; Redacted <Redacted @gov.scot>; Redacted <Redacted @gov.scot>; Redacted <Redacted @gov.scot>; Redacted <Redacted @gov.scot>; Director of Environment & Forestry <director.enfor@gov.scot>; Redacted <Redacted @gov.scot>; Redacted <Redacted @gov.scot>;

Redacted < Redacted @gov.scot>; McLaren D (Douglas) <Douglas.McLaren@gov.scot>;
Communications Finance & Economy <CommunicationsFinance&Economy@gov.scot>;
Communications Social Justice, Housing & Local Government
<CommunicationsSocialJusticeHousing&LocalGovt@gov.scot>; Johnston P (Paul)
<Paul.Johnston@gov.scot>; Redacted <Redacted @gov.scot >
Subject: RE: Urgent FM Request - COSLA meeting with Trade Unions today

Redacted
- copy as above.

COSLA met trade unions this afternoon, details of the offer COSLA have made are included below. Please note while we expect this to become public over the course of the next several hours, and the unions are already quoted on the BBC in general terms, the specific details of the offer are, it is not yet to my knowledge in the public domain.

The outcome of the meeting was that all three Scottish Joint Committee Trade Unions (Unite, Unison, GMB) agreed to consider the offer in their committees. Key messages coming from the unions in the meeting were:

- that the offer falls short of the level of offer in England and Wales (£1925 flat rate increase), and Unison in particular have since publicly said this is insufficient;
- there is however a concern, particularly in Unison, that middle earners have historically been squeezed in previous differentiated deals;
- the overall sense from COSLA Officers is that the Unions will be minded to reject the offer;
- Unite and GMB are meeting in their committees today, and Unison's committee is meeting tomorrow, to consider whether or not to put the offer to their membership.

COSLA have called on the unions to suspend action and put the offer to their membership. Officers' sense is that even if the unions did decide to put the offer to their members, they would maintain the current planned action while doing so. Officers also said that they had heard of STUC plans for a potential mass day of action around the 6th September which would go beyond the local government workforce.

[Redacted]

DFMPO - briefing for tomorrow's meeting with COSLA will follow shortly.

Ellen Leaver

BACKGROUND - COSLA's revised offer (please protect until in the public domain):

- The offer is for an undifferentiated 5% with a £10.50 underpin and smoothing at Spinal Column Points 19-22.
- This means that lowest paid 12% of our workforce will get more than a 5% increase and **those on the Scottish Local Government Living Wage will see a 7.36% increase**.
- We see it important to ensure that our lowest paid, as union colleagues have reminded us, are protected as far as we can from the cost of living crisis and the

7.36% increase, raising the minimum hourly rate in the SJC workforce to £10.50, seeks to address this.

- We listened the points you made about the pressures on employees across the whole of our pay structure, which would include early years workers in schools, social workers, and technical and professional grades, and the undifferentiated offer is made to address these.
- We heard your comments about the expectation of workforce that the offer will be for 5% and note the concerns voiced by unions about the difficulties caused by last year's differentiated offer.

Ellen Leaver | Deputy Director, Local Government and Analytical Services | Scottish Government | LL: 0131 244 7636 | Mob: 07796 707 915

I am now working from VQ by default Mon-Thurs (WfH on Fri), please feel free to consider In Person meetings if suitable.

From: Redacted <Redacted@gov.scot> On Behalf Of First Minister

Sent: 23 August 2022 11:34

To: Johnston P (Paul) <Paul.Johnston@gov.scot>

Cc: Permanent Secretary <PermanentSecretary@gov.scot>; DG Communities <DGCommunities@gov.scot>; DG Corporate <dgcorporate@gov.scot>; Chief Financial Officer <cfo@gov.scot>; DG Scottish Exchequer Mailbox <DGScottishExchequer@gov.scot>; McCaig C (Callum) <Callum.Mccaig@gov.scot>; Director for Local Government and Housing <DirectorForLocalGovernment&Housing@gov.scot>; DG Health & Social Care <DGHSC@gov.scot>; First Minister <firstminister@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; Cabinet Secretary for Social Justice, Housing & Local Government <CabSecSJHLG@gov.scot>; Minister for Social Security and Local Government <MinisterSSLG@gov.scot>; Watson AA (Andrew) <Andrew.Watson@gov.scot>; Rogers S (Shirley) <Shirley.Rogers@gov.scot>; O'Donnell (Sarah) <Sarah.O'donnell2@gov.scot>; Redacted <Redacted@gov.scot>; Redacted <Redacted@gov.scot>; Redacted <Redacted@gov.scot>; Redacted <Redacted@gov.scot>; Redacted <Redacted@gov.scot>; Deputy First Minister and Cabinet Secretary for Covid Recovery <DFMCSCR@gov.scot>
Subject: Urgent FM Request - COSLA meeting with Trade Unions today
Importance: High

Good Morning,

I would be grateful if a read out on the outcome of COSLA's meeting with trade unions today be sent to FM as soon as possible.

Many thanks,

Redacted

Deputy Private Secretary to the First Minister

Office of the First Minister

5th Floor | St Andrews House | Regent Road | Edinburgh | EH1 3DG | 0131 Redacted | Redacted



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5a.

Councillor Cameron Day
City Chambers
High Street
Edinburgh
EH1 1JY

24th Aug 2022

Dear Ms Sturgeon,

Edinburgh City Council – Industrial Action

Everybody deserves to be paid fairly for the work that they do, not least when we're facing the worst cost of living crisis in decades. This includes my colleagues across the Council – and the city – and the members of the waste and cleansing teams, who continue their 12 days of industrial action.

I fully respect the right of my colleagues to take this action and have their voices heard but I am keen to find a solution and bring this to an end as quickly and fairly as possible.

I would like to invite you to join me to meet with union colleagues across the City to see first-hand the hard work they do.

I look forward to hearing from you regarding this matter.

Yours sincerely



Councillor Cameron Day

6. From: Johnston P (Paul)
Sent: 24 August 2022 13:52
To: Executive Team <DLPSECPET@gov.scot>
Cc: Director for Local Government and Housing <DirectorForLocalGovernment&Housing@gov.scot>;
Leaver E (Ellen) <Ellen.Leaver@gov.scot>
Subject: Official Sensitive -ET Update on Local Government Pay

[Redacted]

COSLA took forward negotiations with the main unions yesterday. It has been confirmed that the offer has been rejected, hence the continuation of strikes. The offer has been rejected without being out to members.

Sean, Ellen and I have been in discussions today with DFM and COSLA, and DFM will meet separately with unions this evening. They have written to FM (see attached). Note the way their position covers the cost of living crisis, the establishment of the NCS, public sector reform and the overall RSR position in relation to local government.

[Redacted]

6a.

Our ref:

Your ref:

When telephoning please ask for:

Nicola Sturgeon
First Minister of Scotland
St Andrews House
Regent Road
Edinburgh
EH1 3DG



UNISON House
14 West Campbell Street
GLASGOW
G2 6RX

Tel: 0141 342 2899
Fax: 0141 342 2835
www.unison-scotland.org

19 August 2022

Dear Nicola

We are writing to you as leaders of UNISON *the* public services union and the largest trade union in Scotland to suggest a meeting to discuss public sector pay and reform. There are significant issues brewing in local government, the NHS and social care and perhaps we should explore what more we can mutually do to improve relationships and find solutions.

Strikes are planned in councils for waste and recycling workers throughout September, and we will give notice to employers regarding our mandate for education staff in the next few days. There is general acknowledgement on all sides that the offer on the table is not enough to stop the forthcoming industrial action. All sides seem to want to find a solution and - for our part - we will do everything we can to avoid unnecessary disruption and bring this to a satisfactory solution.

We would also welcome discussion around the future reform of local government, particularly the consequences emanating from the Scottish government spending review and the National Care Service bill. We were hoping early talks might tackle some issues before they become problems, at least we could foster better understanding between UNISON and the Scottish government.

We welcome the letter from the Cabinet Secretary for Health (16 August) in which he states his desire to get back around the negotiating table to find a mutually satisfactory NHS pay deal. Again, we will do everything we can to support this work. For the first time since devolution, we are preparing to ballot NHS staff for industrial action. This was unthinkable just a few years ago, and we hope to avoid NHS strikes.

We would also welcome some discussions around NHS staffing, vacancies and workforce planning. We feel much of the anger amongst NHS staff is driven by the significant staffing issues they are facing now.

General Secretary Dave Prentis Scottish Secretary Mike J Kirby

-2-

Lastly, the problems in social care in Scotland were stark in the pandemic. UNISON welcomed the announcement of a National Care Service in Scotland. We hoped it could be a vehicle to bring about solutions to some large problems in the sector, for example installing Fair Work principles to tackle considerable mismanagement in social care. However, we are concerned about some of the key provisions within the National Care Service Bill and we think it would be beneficial if we could discuss these with you.

We hope any discussions would help us get through what is clearly going to be a challenging period in industrial relations.

We hope to hear from you shortly.

Yours sincerely



TRACEY DALLING
Regional Secretary, Scotland



LILIAN MACER
Convenor, UNISON Scotland

7. From: Redacted <Redacted@gov.scot>
Sent: 23 August 2022 16:22
To: Johnston P (Paul) <Paul.Johnston@gov.scot>; Redacted <Redacted@gov.scot>; First Minister <firstminister@gov.scot>
Cc: Deputy First Minister and Cabinet Secretary for Covid Recovery <DFMCSCR@gov.scot>; Cabinet Secretary for Social Justice, Housing & Local Government <CabSecSJHLG@gov.scot>; Permanent Secretary <PermanentSecretary@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; Lloyd E (Elizabeth) <Elizabeth.Lloyd@gov.scot>; Higgins K (Kate) <Kate.Higgins@gov.scot>; McCaig C (Callum) <Callum.Mccaig@gov.scot>; Hutchison D (David) (Special Adviser) <David.Hutchison@gov.scot>; Cabinet Secretary for Health and Social Care <CabSecHSC@gov.scot>; Chief Medical Officer <CMO@gov.scot>; DG Health & Social Care <DGHSC@gov.scot>; Director of Population Health <Directorofpopulationhealth@gov.scot>; Redacted <Redacted@gov.scot>; Redacted <Redacted@gov.scot>; Redacted <Redacted@gov.scot>; Redacted <Redacted@gov.scot>; Leaver E (Ellen) <Ellen.Leaver@gov.scot>; DG Communities <DGCommunities@gov.scot>; Director for Local Government and Housing <DirectorForLocalGovernment&Housing@gov.scot>; DG Net Zero <DGNetZero@gov.scot>; Director of Environment & Forestry <director.enfor@gov.scot>; Redacted <Redacted@gov.scot>; DG Economy <DGEconomy@gov.scot>; Redacted <Redacted@gov.scot>
Subject: RE: Urgent FM Request- Ongoing Industrial Action - Edinburgh City Council Waste Services

[Redacted]

Thanks
Redacted

Redacted
Director Fair Work, Employability and Skills (interim)
Working from home, available on MS Teams, email or mobile Redacted

Normal working days Monday to Thursday
Please note I'm working flexibly, if you receive this outwith normal working hours please do not feel you need to pick this up outside of your own normal working hours.

From: Johnston P (Paul) <Paul.Johnston@gov.scot>
Sent: 23 August 2022 15:25
To: Redacted <Redacted@gov.scot>; First Minister <firstminister@gov.scot>
Cc: Deputy First Minister and Cabinet Secretary for Covid Recovery <DFMCSCR@gov.scot>; Cabinet Secretary for Social Justice, Housing & Local Government <CabSecSJHLG@gov.scot>; Permanent Secretary <PermanentSecretary@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; Lloyd E (Elizabeth) <Elizabeth.Lloyd@gov.scot>; Higgins K (Kate) <Kate.Higgins@gov.scot>; McCaig C (Callum) <Callum.Mccaig@gov.scot>; Hutchison D (David) (Special Adviser) <David.Hutchison@gov.scot>; Cabinet Secretary for Health and Social Care <CabSecHSC@gov.scot>; Chief Medical Officer <CMO@gov.scot>; DG Health & Social Care <DGHSC@gov.scot>; Director of Population Health <Directorofpopulationhealth@gov.scot>; Redacted <Redacted@gov.scot>; Redacted <Redacted@gov.scot>; Redacted <Redacted@gov.scot>;

Redacted < Redacted @gov.scot>; Leaver E (Ellen) <Ellen.Leaver@gov.scot>; DG Communities <DGCommunities@gov.scot>; Director for Local Government and Housing <DirectorForLocalGovernment&Housing@gov.scot>; DG Net Zero <DGNetZero@gov.scot>; Director of Environment & Forestry <director.enfor@gov.scot>; Carmichael K (Katriona) <Katriona.Carmichael@gov.scot>; DG Economy <DGEconomy@gov.scot>; Gray H (Helena) <Helena.Gray@gov.scot>
Subject: RE: Urgent FM Request- Ongoing Industrial Action - Edinburgh City Council Waste Services

Colleagues

[redacted]

Paul

Paul Johnston
Director General Communities
Scottish Government

Redacted

From: Redacted < Redacted @gov.scot>
Sent: 23 August 2022 14:34
To: First Minister <firstminister@gov.scot>
Cc: Deputy First Minister and Cabinet Secretary for Covid Recovery <DFMCSCR@gov.scot>; Cabinet Secretary for Social Justice, Housing & Local Government <CabSecSJHLG@gov.scot>; Permanent Secretary <PermanentSecretary@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; Lloyd E (Elizabeth) <Elizabeth.Lloyd@gov.scot>; Higgins K (Kate) <Kate.Higgins@gov.scot>; McCaig C (Callum) <Callum.Mccaig@gov.scot>; Hutchison D (David) (Special Adviser) <David.Hutchison@gov.scot>; Cabinet Secretary for Health and Social Care <CabSecHSC@gov.scot>; Chief Medical Officer <CMO@gov.scot>; DG Health & Social Care <DGHSC@gov.scot>; Director of Population Health <Directorofpopulationhealth@gov.scot>; Redacted < Redacted @gov.scot>; Redacted < Redacted @gov.scot>; Redacted < Redacted @gov.scot>; Redacted < Redacted @gov.scot>; Leaver E (Ellen) <Ellen.Leaver@gov.scot>; DG Communities <DGCommunities@gov.scot>; Director for Local Government and Housing <DirectorForLocalGovernment&Housing@gov.scot>; DG Net Zero <DGNetZero@gov.scot>; Director of Environment & Forestry <director.enfor@gov.scot>; Redacted < Redacted @gov.scot>; DG Economy <DGEconomy@gov.scot>; Redacted < Redacted @gov.scot>
Subject: RE: Urgent FM Request- Ongoing Industrial Action - Edinburgh City Council Waste Services

Hi Redacted,

With apologies for missing the revised deadline, please see attached the requested advice noting that we are urgently following up on additional advice that we are expecting to get today.

Many thanks,

Redacted

From: Redacted <Redacted@gov.scot>

Sent: 23 August 2022 11:09

To: Leaver E (Ellen) <Ellen.Leaver@gov.scot>; First Minister <firstminister@gov.scot>; DG Communities <DGCommunities@gov.scot>; Director for Local Government and Housing

<DirectorForLocalGovernment&Housing@gov.scot>; DG Net Zero

<DGNetZero@gov.scot>; Director of Environment & Forestry

<director.enfor@gov.scot>; Carmichael K (Katriona)

<Katriona.Carmichael@gov.scot>; DG Economy <DGEconomy@gov.scot>;

Redacted <Redacted@gov.scot>

Cc: Deputy First Minister and Cabinet Secretary for Covid Recovery

<DFMCSCR@gov.scot>; Cabinet Secretary for Social Justice, Housing & Local

Government <CabSecSJHLG@gov.scot>; Permanent Secretary

<PermanentSecretary@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>;

Lloyd E (Elizabeth) <Elizabeth.Lloyd@gov.scot>; Higgins K (Kate)

<Kate.Higgins@gov.scot>; McCaig C (Callum) <Callum.Mccaig@gov.scot>;

Hutchison D (David) (Special Adviser) <David.Hutchison@gov.scot>; Cabinet

Secretary for Health and Social Care <CabSecHSC@gov.scot>; Chief Medical

Officer <CMO@gov.scot>; DG Health & Social Care <DGHSC@gov.scot>; Director

of Population Health <Directorofpopulationhealth@gov.scot>; Redacted <

Redacted@gov.scot>; Redacted <Redacted@gov.scot>; Redacted <Redacted

@gov.scot>; Redacted <Redacted@gov.scot>

Subject: RE: Urgent FM Request- Ongoing Industrial Action - Edinburgh City Council Waste Services

To confirm that waste policy has noted the below request and will provide advice, in discussion with SGLD/industrial relations/local government/public health colleagues as required.

Redacted

Redacted

Head of Zero Waste Unit

Environmental Quality and Circular Economy Division

Redacted

From: Leaver E (Ellen) <Ellen.Leaver@gov.scot>

Sent: 23 August 2022 10:15

To: First Minister <firstminister@gov.scot>; DG Communities

<DGCommunities@gov.scot>; Director for Local Government and Housing

<DirectorForLocalGovernment&Housing@gov.scot>; DG Net Zero

<DGNetZero@gov.scot>; Director of Environment & Forestry

<director.enfor@gov.scot>; Redacted < Redacted @gov.scot>; Redacted < Redacted @gov.scot>; DG Economy <DGEconomy@gov.scot>; Redacted < Redacted @gov.scot>

Cc: Deputy First Minister and Cabinet Secretary for Covid Recovery <DFMCSCR@gov.scot>; Cabinet Secretary for Social Justice, Housing & Local Government <CabSecSJHLG@gov.scot>; Permanent Secretary <PermanentSecretary@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; Lloyd E (Elizabeth) <Elizabeth.Lloyd@gov.scot>; Higgins K (Kate) <Kate.Higgins@gov.scot>; McCaig C (Callum) <Callum.Mccaig@gov.scot>; Hutchison D (David) (Special Adviser) <David.Hutchison@gov.scot>; Cabinet Secretary for Health and Social Care <CabSecHSC@gov.scot>; Chief Medical Officer <CMO@gov.scot>; DG Health & Social Care <DGHSC@gov.scot>; Director of Population Health <Directorofpopulationhealth@gov.scot>; Redacted < Redacted @gov.scot>; Redacted < Redacted @gov.scot>
Subject: RE: Urgent FM Request- Ongoing Industrial Action - Edinburgh City Council Waste Services

Redacted

Thank you for this, given the advice here needs to come from other areas I am extending this list directly to include them in order to respond.

Namely, to include DG Net Zero, Kevin Quinlan, Katriona Carmichael and [redacted] for waste policy.

I'm also including DG Economy and Helena Gray as they may be able to feed in from the perspective of industrial relations - although not copying more widely in their area as I'm unclear who exactly does cover this.

Regards
Ellen

Ellen Leaver | Deputy Director, Local Government and Analytical Services
|Scottish Government | LL: 0131 Redacted | Mob: Redacted

I am now working from VQ by default Mon-Thurs (WfH on Fri), please feel free to consider In Person meetings if suitable.

From: Redacted < Redacted @gov.scot> On Behalf Of First Minister

Sent: 23 August 2022 10:10

To: DG Communities <DGCommunities@gov.scot>; Director for Local Government and Housing <DirectorForLocalGovernment&Housing@gov.scot>; Leaver E (Ellen) <Ellen.Leaver@gov.scot>

Cc: Deputy First Minister and Cabinet Secretary for Covid Recovery <DFMCSCR@gov.scot>; Cabinet Secretary for Social Justice, Housing & Local Government <CabSecSJHLG@gov.scot>; Permanent Secretary <PermanentSecretary@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; Lloyd E (Elizabeth) <Elizabeth.Lloyd@gov.scot>; Higgins K (Kate) <Kate.Higgins@gov.scot>; McCaig C (Callum) <Callum.Mccaig@gov.scot>; Hutchison D (David) (Special Adviser) <David.Hutchison@gov.scot>; Cabinet Secretary for Health and Social Care <CabSecHSC@gov.scot>; Chief Medical

Officer <CMO@gov.scot>; DG Health & Social Care <DGHSC@gov.scot>; Director of Population Health <Directorofpopulationhealth@gov.scot>; First Minister <firstminister@gov.scot>

Subject: Urgent FM Request- Ongoing Industrial Action - Edinburgh City Council Waste Services

Importance: High

Now sending from FM box

Morning,

[Redacted]

Many thanks,

Redacted

Deputy Private Secretary to the First Minister

Office of the First Minister

5th Floor | St Andrews House | Regent Road | Edinburgh | EH1 3DG | 0131

Redacted | Redacted



Office of the First Minister of Scotland

FirstMinister.gov.scot

Prìomh Mhinistear na h-Alba

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7a. First Minister

Purpose

This note provides advice on ongoing risks and options that are available to Ministers in the context of the ongoing industrial action affecting Edinburgh City Council's waste services and highlights practical issues and wider considerations.

Summary

There are several environmental and public health risks as a result of ongoing industrial action (IA) [Redacted]

Background

IA has been ongoing in Edinburgh for six days and is due to last until 31 August (inclusive).

Before and during the IA, officials have been working with Edinburgh City Council to identify, prioritise and begin to mitigate risks, which include:

- disruption to residual, food and garden and dry recycling collections at households and street cleaning;
- closure of recycling centres; and
- knock-on impacts to the waste storage capacity limits available and breach of licencing storage limit requirements at regulated waste sites such as recycling centres.

As a result of the IA, there has been increased litter and overflowing bins reported in the City.

There is also other IA planned for a further 23 local authorities between 26 and 29 August, and 7 and 10 September. We are working with local authority (LA) waste and recycling service leads, Cosla, SEPA and Zero Waste Scotland to mitigate issues arising. This includes the provision of guidance on prioritisation of waste services and communication activities to ensure that householders and the general public are aware of the actions they can take during service disruption.

Environmental health and public health implications of ongoing industrial action

The 11 days of strikes in Edinburgh will result in at least two missed household bin collections, including residual (black bag) and food waste as well as litter bin collections and street cleansing. This has and will continue to result in the unsafe storage of waste on the streets of Edinburgh, and potentially at homes of residents.

The threat to the public by the build-up of refuse is related to the greater risk of infection from increased exposure to vermin and insects. These carry a number of infections that could be detrimental to the public's health.

There are also risks associated with the storage of waste in residents' homes, which may present fire hazards, a risk of gastro-intestinal disease from handling this waste/seepage from this waste or fire hazards (although over the 11 days the latter is likely to be smaller than the risk of disease).

There are also likely to be odour and nuisance issues. For example, hospitality trade bodies have highlighted likely impacts on outdoor seating if situated near to overflowing bins.

Quantifying the risks is difficult. Where waste includes food and other biodegradable wastes (e.g. paper, card, nappies), such as wastes from festival goers, the risks will

be higher. Moreover, risks will increase with the time the waste is stored and will increase faster in warmer weather.

[redacted]

[redacted]

Next steps/ further advice

We understand Edinburgh City Council are meeting with senior NHS Lothian public health colleagues this afternoon to understand the magnitude of the public health risks and consider options, and will continue to balance environmental and public risks with the risks associated with an intervention. Edinburgh Council have agreed to update officials following that discussion.

We remain in active contact with Edinburgh Council and other local authority waste and recycling service leads, Cosla and SEPA and, with SEPA and Zero Waste Scotland, are supporting local contingency arrangements through the provision of guidance on prioritisation of services and communication activities to ensure that householders and the general public are aware of the actions they can take during service disruption.

8. Next stages of LG pay negotiations

The next milestone is the close of the SJC Union (non-teaching workforce) ballot for industrial action on the 26 July. COSLA expect any strike action across the non-teaching workforce to be timed in mid-August with the start of the school year if a mandate is achieved. If that is to be avoided a new offer would need to be made at a level which the Unions felt compelled to take it to their membership. [redacted]

COSLA advised at our meeting that SJC Unions will be watching closely the position in respect of NHS pay negotiations and may resist taking a position on a revised offer until they know the outcome of the ballots across the health workforce in mid-August. [redacted]

The timeframe for negotiations on the teaching workforce is slightly different although the two negotiations are closely connected [redacted].

9. From: Redacted <Redacted@gov.scot> On Behalf Of Deputy First Minister and Cabinet Secretary for Covid Recovery

Sent: 17 August 2022 22:22

To: Swinney J (John) <John.Swinney@gov.scot>

Subject: FW: Update: Local Government Pay Negotiations – 12 August 2022

DFM,

For consideration – draft letter to COSLA.

I would be grateful if you could advise if you are content for this letter to issue, and who you wish the letter to be sent/copied to?

The letter is currently addressed to Councillor Katie Hagmann, however I note that you mentioned a desire to copy this to Leaders of Local Authorities.

Redacted

Deputy Private Secretary to the Deputy First Minister and Cabinet Secretary for Covid Recovery
The Scottish Government | St Andrew's House, Regent Road, Edinburgh, EH1 3DG
T: 0131 Redacted | M: Redacted | E: DFMCSCR@gov.scot

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From: Black E (Elise) <Elise.Black@gov.scot>

Sent: 17 August 2022 22:11

To: Deputy First Minister and Cabinet Secretary for Covid Recovery <DFMCSCR@gov.scot>; White D (Donna) <Donna.White@gov.scot>; Keates H (Hannah) <Hannah.Keates@gov.scot>; Leaver E (Ellen) <Ellen.Leaver@gov.scot>; McCaig C (Callum) <Callum.Mccaig@gov.scot>; Director for Local Government and Housing <DirectorForLocalGovernment&Housing@gov.scot>

Cc: First Minister <firstminister@gov.scot>; Cabinet Secretary for Social Justice, Housing & Local Government <CabSecSJHLG@gov.scot>; Cabinet Secretary for Education and Skills <CabSecES@gov.scot>; Cabinet Secretary for Health and Social Care <CabSecHSC@gov.scot>; Minister for Social Security and Local Government <MinisterSSLG@gov.scot>; Minister for Public Finance, Planning & Community Wealth <MinisterPFPCW@gov.scot>; Permanent Secretary <PermanentSecretary@gov.scot>; DG Communities <DGCommunities@gov.scot>; DG Scottish Exchequer Mailbox <DGScottishExchequer@gov.scot>; Johnston P (Paul) <Paul.Johnston@gov.scot>; Permanent Secretary <PermanentSecretary@gov.scot>; John-Paul Marks <John-Paul.Marks@gov.scot>; DG Education & Justice <dgej@gov.scot>; Redacted <Redacted@gov.scot>; Redacted <Redacted@gov.scot>; Redacted <Redacted@gov.scot>; Redacted <Redacted@gov.scot>; O'Donnell (Sarah) <Sarah.O'donnell2@gov.scot>; Chief Financial Officer <cfo@gov.scot>; Mackay S (Scott) <Scott.Mackay@gov.scot>; Director of Budget and Public Spending <Directorofbudgetandpublicspending@gov.scot>; McLaren D (Douglas) <Douglas.McLaren@gov.scot>; Redacted <Redacted@gov.scot>; Redacted <Redacted@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; Anson S (Sam) <Sam.Anon@gov.scot>; Redacted <Redacted@gov.scot>; McAllan M (Mary) <Mary.McAllan@gov.scot>; Redacted <Redacted@gov.scot>; O'Donnell J (Jane) <Jane.O'Donnell@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; Higgins K (Kate) <Kate.Higgins@gov.scot>; Dobson L (Leanne) <Leanne.Dobson@gov.scot>; Livey D (David) <David.Livey@gov.scot>; Communications Finance & Economy <CommunicationsFinance&Economy@gov.scot>; Redacted <Redacted@gov.scot>; Redacted <Redacted@gov.scot>; Communications Social Justice, Housing & Local Government

<CommunicationsSocialJusticeHousing&LocalGovt@gov.scot>; [REDACTED]
[REDACTED]@gov.scot>

Subject: RE: Update: Local Government Pay Negotiations – 12 August 2022

Hi Redacted

Draft letter attached as per today's discussion,

Redacted

From: Redacted <Redacted @gov.scot> On Behalf Of Deputy First Minister and Cabinet Secretary for Covid Recovery

Sent: 17 August 2022 20:53

To: Redacted <Redacted @gov.scot>; Deputy First Minister and Cabinet Secretary for Covid Recovery <DFMCSCR@gov.scot>; Black E (Elise) <Elise.Black@gov.scot>; Redacted <Redacted @gov.scot>; Leaver E (Ellen) <Ellen.Leaver@gov.scot>; McCaig C (Callum) <Callum.Mccaig@gov.scot>; Director for Local Government and Housing <DirectorForLocalGovernment&Housing@gov.scot>

Cc: First Minister <firstminister@gov.scot>; Cabinet Secretary for Social Justice, Housing & Local Government <CabSecSJHLG@gov.scot>; Cabinet Secretary for Education and Skills <CabSecES@gov.scot>; Cabinet Secretary for Health and Social Care <CabSecHSC@gov.scot>; Minister for Social Security and Local Government <MinisterSSLG@gov.scot>; Minister for Public Finance, Planning & Community Wealth <MinisterPFPCW@gov.scot>; Permanent Secretary <PermanentSecretary@gov.scot>; DG Communities <DGCommunities@gov.scot>; DG Scottish Exchequer Mailbox <DGScottishExchequer@gov.scot>; Johnston P (Paul) <Paul.Johnston@gov.scot>; Permanent Secretary <PermanentSecretary@gov.scot>; John-Paul Marks <John-Paul.Marks@gov.scot>; DG Education & Justice <dgej@gov.scot>; Redacted <Redacted @gov.scot>; Redacted <Redacted @gov.scot>; Redacted <Redacted @gov.scot>; Redacted <Redacted @gov.scot>; O'Donnell (Sarah) <Sarah.O'donnell2@gov.scot>; Chief Financial Officer <cfo@gov.scot>; Mackay S (Scott) <Scott.Mackay@gov.scot>; Director of Budget and Public Spending <Directorofbudgetandpublicspending@gov.scot>; McLaren D (Douglas) <Douglas.McLaren@gov.scot>; Redacted <Redacted @gov.scot>; Redacted <Redacted @gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; Anson S (Sam) <Sam.Anon@gov.scot>; Redacted <Redacted @gov.scot>; McAllan M (Mary) <Mary.McAllan@gov.scot>; Redacted <Redacted @gov.scot>; O'Donnell J (Jane) <Jane.O'Donnell@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; Higgins K (Kate) <Kate.Higgins@gov.scot>; Dobson L (Leanne) <Leanne.Dobson@gov.scot>; Livey D (David) <David.Livey@gov.scot>; Communications Finance & Economy <CommunicationsFinance&Economy@gov.scot>; Redacted <Redacted @gov.scot>; Redacted <Redacted @gov.scot>; Communications Social Justice, Housing & Local Government <CommunicationsSocialJusticeHousing&LocalGovt@gov.scot>; Redacted <Redacted @gov.scot>

Subject: RE: Update: Local Government Pay Negotiations – 12 August 2022

Colleagues,

Further to the below, DFM would be grateful for a draft version of this letter for his clearance by 9am tomorrow.

Kind regards,
Redacted

Redacted

Deputy Private Secretary to the Deputy First Minister and Cabinet Secretary for Covid Recovery
The Scottish Government | St Andrew's House, Regent Road, Edinburgh, EH1 3DG
T: 0131 Redacted | M: Redacted | E: DFMCSCR@gov.scot

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9a. 18 August 2022

Dear Councillor Hagmann

Thank you for the meeting on 17 August with yourself, Councillor Morrison and Councillor Heddle to discuss the current pay position.

At the meeting I set out the current challenging Scottish Government budget position, with the 2022-23 Scottish Budget fully committed against a backdrop of inflationary pressures and the cost crisis. Indeed, the Scottish Fiscal Commission has highlighted the overall 2022-23 Scottish Budget is 2.6% lower than last year in cash terms primarily because of reduced Covid-19 funding and falling capital funding from the UK Government.

We are all experiencing unprecedented pressures on public finances, which have been further exacerbated with the increase in inflation and the situation in Ukraine. Nevertheless, the Scottish Government has made difficult decisions across our public service provision to offer the financial contribution of £140 million in recurring funding to local authorities in order to support a revised pay offer.

No other area has been provided additional funding to meet pay-bill pressures, with a requirement to make challenging savings to live within existing budgets. The UK Government has not provided further funding for these pressures, with last year's UK Spending Review not taking account of the levels of pay uplift now proposed or the wider effects of inflation.

Turning to fiscal powers, the Scottish Government has limited borrowing powers, and is not permitted under the relevant statutory arrangements to revisit sufficiently significant revenue raising policies, such as income tax, in-year.

A number of representations have been made stating the Scottish Government should utilise the funding in its reserves. I do not recognise the numbers being discussed, with the Scottish Government having used reserves in full to deliver the 2022-23 budget. Indeed, the additional £120 million provided to local government at stage 2 of the 2022-23 budget was delivered through the use of the Scotland reserve. Given that, and now the offer of a further £140 million to support a pay deal, any suggestion that we have not fully utilised all avenues open to us to provide additional funding to councils is wholly unfounded. I would again encourage all councils to consider the use of reserves for other short term cost pressures so as to redirect resources to the pay offer.

Throughout our discussions I have sought to work collaboratively while providing full transparency around our financial position, as part of this I have set out the reserve position in detail in Annex A. I would also note, much like borrowing, the Scottish Government has very limited reserve powers (with the ability to only hold £700 million in reserve, which is under 2% of the full Scottish Government budget), with Local Government having greater powers in this respect.

As I have previously made clear, the Scottish Government is not in a position to provide a further additional contribution and I would ask councils to again consider carefully how they too could increase available funding for pay. I would reiterate that to date, local government is the only sector to receive substantive additional funding from the Scottish Government to help address pay pressures. I would also note that it is councils which are the employers here and there is no direct role for the Scottish Government in this relationship.

It is essential that urgent action is now taken, I do not need to tell you that waste collection services in Edinburgh will strike from today and that further action in the weeks following has already been called across a number of councils. Moreover, council employees now face the prospect of meeting inflationary pressures on their cost of living this autumn without having received a pay increase from their employers.

I know difficult decisions will need to be made by Local Government to meet the pay offer, this is equally the case for the Scottish Government, and I would emphasise that if we are to have a mature partnership that we must both recognise our shared reality.

Finally, at our meeting I committed to looking at any detailed proposals that COSLA will put forward for flexibilities with regards policy delivery and the use of reserves. While this work is underway, it is critical that a meaningful, revised offer is made at pace, and that negotiations with the Unions proceed to reach a swift agreement.

I look forward to hearing from you,

JOHN SWINNEY

10. From: McAllister C (Colin) <Colin.McAllister@gov.scot>

Sent: 29 August 2022 17:12

To: Neill S (Sean) <Sean.Neill@gov.scot>; Leaver E (Ellen) <Ellen.Leaver@gov.scot>

Cc: Higgins K (Kate) <Kate.Higgins@gov.scot>; McCaig C (Callum)

<Callum.Mccaig@gov.scot>

Subject: FW: [EXTERNAL] Strikes to continue as UNISON recommends council workers reject COSLA pay offer

To see

Regards

Colin McAllister

Redacted

Redacted

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10a. Strikes to continue as UNISON recommends council workers reject COSLA pay offer

UNISON, Scotland's largest local government union, has today (Monday) confirmed that strikes will continue as they move to consult members on COSLA's latest pay offer. UNISON will recommend its members vote to reject the offer in a consultative ballot in the coming days.

The decision comes in response to COSLA's latest pay offer - received this morning - following a week of crises talks in which union representatives have worked night and day to try to find a solution to the current dispute.

UNISON has confirmed that strike dates in waste and recycling, schools and early years, that have already been notified to the local authorities in which we have legal mandates, will continue as planned during the period of consultation.

The key elements of COSLA's offer includes:

- A minimum pay uplift of £1925, based on a 37 hour working week, which matches the offer made to Local Government south of the border. However, in Scotland only part of this payment will be consolidated into council workers ongoing pay, the rest will be delivered via one-off payments.
- Those earning less than £20,500 – around 1 in 5 of the council workforce – will receive a pro-rata gross pay increase in 2022 equal to £2,000.
- The removal of SSSC fees for all roles and grades where applicable, including social workers and social care workers among others.
- One additional day's leave for all.

Johanna Baxter, UNISON Scotland head of local government, said: “UNISON negotiators have worked day and night to find a solution to this crises. We welcome the contribution the Scottish Government have made to date and COSLA's commitment to scrapping SSSC fees, their agreement to a one-off cost-of-living increase, and additional day's leave. However as we have repeatedly told them both the size of the current cost envelope is simply not big enough to deliver a decent consolidated wage rise for the majority of our members.

“UNISON's local government committee met this morning and confirmed that strike action will continue while we consult our members on this latest offer. Council workers are struggling to cope with the cost-of-living crisis after ten years of austerity. This is another pay cut they simply cannot afford, which is why we are recommending they reject the offer and continue with the action already planned to try to secure a bigger consolidated sum.”

Mark Ferguson, chair of local government committee said: “This is the first time since devolution that we have embarked on industrial action like this. Half of council workers earn less than £25k per year and 85% earn less than £39k per year - they are all worrying about paying their bills. Inflation is continuing to rise, and our members are being asked to take a real-terms pay cut which will plunge even more of them into debt. Strike action is the last resort and we are always open to get around the table to reach a solution.”

Notes:

1. UNISON is the largest trade union in local government.
2. COSLA’s latest pay offer: <https://unison-scotland.org/wp-content/uploads/Letter-to-COSLA-re-Pay-290822.pdf>
3. Trade union pay claim is here: <https://unison-scotland.org/wp-content/uploads/SJC-Pay-Claim-2022.pdf>
4. National Employers for local government services (UK) LOCAL GOVERNMENT PAY 2022 – pay offer: <https://unison-scotland.org/wp-content/uploads/Emps-to-NJC-TUs-pay-offer-25Jul22.pdf>

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