



St Edmundsbury
BOROUGH COUNCIL

D77

Cabinet 25 July 2012

Recommendations from the Joint Staff Consultative Working Party: 9 July 2012: West Suffolk Joint Staff Consultative Panel (Aug12/03)

Cabinet Member:
Cllr David Ray

Chairman of the Working Party:
Cllr David Ray

1. West Suffolk Joint Staff Consultative Panel (Report D60)

RECOMMENDED that:-

Subject to the agreement of Forest Heath District Council's Cabinet:-

- (1) a West Suffolk Joint Staff Consultative Panel be formed with Forest Heath District Council based on the Terms of Reference (ToR) detailed in Appendix A to Report D77;***
- (2) the Head of Legal and Democratic Services be authorised to appoint Councillors to the West Suffolk Joint Staff Consultative Panel on the nomination of Group Leaders and staff be nominated by the West Suffolk branch of UNISON; and***
- (3) the Borough Council's Joint Staff Consultative Working Party be disbanded on the formation of the new West Suffolk Joint Staff Consultative Panel.***

On 25 May 2011 the Cabinet considered its Annual Review and Appointment of Working Parties (Report C6 refers). Arising from the consideration of this report the Cabinet resolved that (minute 5(4) refers):-

'Merging of Emergency Planning, Central Safety and Joint Staff Consultative Working Parties with the equivalent at Forest Heath District Council be explored'.

Both the Emergency Planning and Central Safety Working Parties have now merged with the equivalent body at Forest Heath District Council (FHDC). Actions have now been taken to amalgamate the Joint Staff Consultative Working Party/Group with an informal briefing taking place on 9 July 2012 between the

existing St Edmundsbury Borough Council (SEBC) Joint Staff Consultative Working Party and FHDC's Joint Consultative Working Group to discuss, amongst other topics, the establishment of the West Suffolk Joint Staff Consultative Panel. Following the joint discussions, each Working Party/Group met separately to consider the Terms of Reference for the new Joint Panel to enable recommendations to be put forward to each authority's respective Cabinets.

It was proposed to amend Sections 2.1, 2.2, 2.5, 5.3 and 5.5 of the ToR, therefore, for ease of reference, these have been highlighted and attached as Appendix A to this Report, D77.

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Terms of Reference: West Suffolk Joint Staff Consultative Panel

1. Overview

- 1.1 The Panel's membership will be drawn from Councillors and staff of both Forest Heath District Council (FHDC) and St Edmundsbury Borough Council (SEBC). The definition of 'staff' includes all groups of employees covered by the National Joint Council for Local Government Services.
- 1.2 The Panel will consider both authorities' staffing arrangements and provide a regular forum to secure the largest measure of agreement between the Councils as employers and Trade Union employees regarding matters directly affecting employment by the Councils.
- 1.3 To provide a group of Members who can develop an enhanced level of understanding on staffing matters.
- 1.4 To make recommendations to the Cabinets of both authorities about policies and actions required to develop and maintain effective employee/employer arrangements.

2. Constitution

- 2.1 The Joint Staff Consultative Panel shall comprise 12 Members. Three Councillors from both FHDC and SEBC, which *desirably* reflects the political balance of each Council, to be the 'employers' side.
- 2.2 ~~Three members of staff from each authority~~ **Six members of staff from across the two authorities** to be the 'employees' side', nominated by the Trade Unions recognised by the Authorities in accordance with the formula set out below:-
 - (a) employee representatives appointed by each of the Trade Unions recognised by the authorities should be on a proportional basis to the total number of employees within the individual union compared to the total Trade Union membership; and
 - (b) each Trade Union recognised by the Authority shall have a minimum of one seat.
- 2.3 The Trade Unions recognised by the Authorities shall represent all Council employees. This will include raising issues on behalf of non-Trade Union members, should they be requested.

- 2.4 In the event of any failure to appoint/elect the number of representatives provided for by this Constitution, such failure to appoint/elect shall not invalidate the decisions of the Panel.
- 2.5 ~~**A substitute Member from each of the four constituencies shall be permitted. Two substitute Members shall be permitted from each authority on the 'employer's side' and four substitutes shall be permitted from the 'employees' side' to provide a total of 6 full Members and 4 substitute Members on each 'side'.**~~
- 2.6 It shall be the duty of a senior Human Resource Officer to attend and advise the Panel.
- 2.7 The Panel shall elect a Chairman and Vice-Chairman from its members. When the Chairman is a Member of one side of the Panel, the Vice-Chairman shall be a Member of the other side. The Chairman of the Panel shall be rotated on an annual basis between the Employees' and Employers' side. The Chairman of the meeting shall not have a casting vote.
- 2.8 The Panel may invite attendance by any person whose particular knowledge or experience may assist the Panel in its considerations. Such attendance shall be in a consultative capacity and only for the period during which the relevant subject is under consideration. In addition, the Employee side may arrange for the attendance of a Trade Union official at any meeting of the Panel, subject to the prior agreement of the Chairman and Vice Chairman.

3. Terms of Reference

- 3.1 To establish and maintain methods of negotiation and consultation, to consult on matters affecting the employment of all groups of employees of the Councils, with a genuine commitment to seek consensus and enter into agreements, as appropriate.
- 3.2 These matters may include such subjects as:-
- (a) application or implementation of National Agreements;
 - (b) application or implementation of Local Agreements or local conditions of service;
 - (c) productivity or performance arrangements;
 - (d) issues referred to the Panel by the Trade Unions as provided for by the formal 'Consultation Procedures' (Employment Restructuring & Redundancy);
 - (e) working conditions;
 - (f) welfare and health of employees;
 - (g) personnel procedures including recruitment, sickness, discipline and handling of grievances and redundancies;
 - (h) training & development of employees;

- (i) equality issues; and
 - (j) any issue referred to the Joint Staff Consultative Panel by the Cabinets.
- 3.3 Issues affecting individuals (e.g. pay, discipline) are excluded from consideration unless they represent matters of principle which are of general application to employees.

4. Authority of the Panel

- 4.1 Decisions of the Joint Staff Consultative Panel shall be in accordance with the voting arrangements set out in paragraph 5.4 below and shall be subject to the approval of the Cabinets, as provided for by the Councils' Schemes of Delegation.

5. Arrangements and Procedures

- 5.1 Meetings shall normally be held quarterly but, exceptionally, the Chairman may decide, after consultation with a Senior Human Resources Officer to convene an extraordinary meeting at any time or to cancel a scheduled meeting due to lack of business to transact. Meetings to alternate between a venue in SEBC and FHDC or as agreed by the Panel.
- 5.2 Agendas shall be prepared by the appropriate Committee Services Section, after discussion with a Senior Human Resources Officer, Chairman and Vice Chairman, and shall be circulated at least five working days before the meeting.
- 5.3 The quorum for the Joint Staff Consultative Panel shall be four, comprising at least two Employee representatives, ~~one from each authority~~, and two Members, one from each authority.
- 5.4 Voting shall be by a show of hands and simple majority. No motion shall be regarded as carried unless it has been approved by a majority of Employer representatives and a majority of Employee representatives present and voting.
- 5.5 The report from the Joint Staff Consultative Panel to the respective Cabinets shall be by way of presentation of the minutes/draft minutes **or by way of a brief report** in a format agreed by the Cabinet.
- 5.6 If the Panel is unable to agree and no local settlement can be achieved, the matter may be referred by either side to the Cabinets.