

West Suffolk Council Constitution

Extract from Part 3; Section 2 - Responsibility for Council (Non-Executive) Functions

Panels

C.8 Staff Consultative Panel

1. Overview

- 1.1 The Panel's membership will be drawn from Councillors and staff of the Council. 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 the Council's staffing arrangements and provide a regular forum to secure the largest measure of agreement between the Council as an employer and Trade Union employees regarding matters directly affecting employment by the Council.
- 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 Cabinet about policies and actions required to develop and maintain effective employee/employer arrangements.

2. Constitution

- 2.1 The Panel shall comprise 12 Members, to be comprised of six Councillors, which desirably reflects the political balance of the Council, as far as practically possible, to be the 'Employers' Side' and six members of staff from the Council 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 Authority 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.
- 2.2 The Trade Unions recognised by the Council shall represent all Council employees. This will include raising issues on behalf of non-Trade Union members, should they be requested.

- 2.2 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.
- 2.4 Two substitute Members shall be permitted on the 'Employers' Side' and two substitutes shall be permitted from the 'Employees' Side'.
- 2.5 It shall be the duty of a senior Human Resource Officer to attend and advise the Panel.
- 2.6 The Panel shall elect a Chair and Vice-Chair from its Members. When the Chair is a Member of one Side of the Panel, the Vice-Chair shall be a Member of the other Side. The Chair of the Panel shall be rotated on an annual basis between the Employees' and Employers' Side. The Chair of the meeting shall not have a casting vote.
- 2.7 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 Chair and Vice Chair.

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 Council, 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 and development of employees.
 - (i) Equality issues; and
 - (j) Any issue referred to the Panel by the Cabinet.
- 3.3 Issues affecting individuals (eg 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 Panel shall be in accordance with the voting arrangements set out in paragraph 5.3 below and shall be subject to the approval of the Cabinet, as provided for by the Council's Scheme of Delegation.

5. Arrangements and Procedures

- 5.1 Meetings shall normally be held quarterly but, exceptionally, the Chair 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 the Council Offices or as agreed by the Panel.
- 5.2 The quorum for the Panel shall be four, comprising at least two Employee representatives and two Members.
- 5.3 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.
- 5.4 The report from the Panel to the respective Cabinet shall be by way of presentation of the minutes or by way of a brief report in a format agreed by the Cabinet.
- 5.5 If the Panel is unable to agree and no local settlement can be achieved, the matter may be referred by either side to the Cabinet.

*(*Note: This meeting is not governed by the normal Access to Information rules (The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012) in the Council. Therefore these meetings are not open to attendance by the public).*