

EAST AYRSHIRE COUNCIL

CORPORATE SUB-COMMITTEE OF THE POLICY AND RESOURCES COMMITTEE – 25 SEPTEMBER 2001

JOINT CONSULTATIVE ARRANGEMENT (Local Government Employees and Craftpersons)

Report by the Depute Chief Executive/Director of Corporate Resources

1. PURPOSE OF REPORT

- 1.1 To recommend a change to the Council's Joint Consultative Committee (JCC) arrangements.

2. BACKGROUND

- 2.1 The Council established Joint Consultative Committees during the "shadow year" of Local Government reorganisation. Constitutions for the former APT&C and Manual and Craftpersons group were agreed by each JCC. The Teachers have a JCC arrangement as approved by the Education Committee.
- 2.2 The existing APT&C and Manual and Craftpersons JCC forums considered this proposal in March 2001 at their respective and final meetings of their 2000/2001 schedule. At that stage, the Trade Unions agreed to submit their response on the proposed future arrangements to the Head of Personnel.

3. SINGLE STATUS AGREEMENT

- 3.1 The Single Status Agreement reached at a national level with effect from 1 July 1999 established a new Local Government Employees pay award body. This group includes the former APT&C and Manual Workers. The Craftpersons remain outwith the agreement at this time, retaining their own Scottish Negotiating Committee (Craftpersons) Forum.
- 3.2 The establishment of the Scottish Joint Council (Local Government Employees) has in effect established national level Single Table Bargaining for the former APT&C and Manual Workers groups.

4. PROPOSALS

- 4.1 It is recommended that, in order to support local implementation of the Single Status agreement whilst also maintaining effective consultation arrangements with all employee groups, the two existing JCCs for APT&C and Manual Craftpersons combine to form one Local Government Employees and Joint Consultative Committee.
- 4.2 The constituent trade unions for the existing and proposed JCC are UNISON, GMB, TGWU, UCATT and AEEU. There are three employee groups to be consulted i.e. Manual Workers, (1830) APT&C (2500), Craftpersons (270).

- 4.3 Following consultation with Trade Unions early agreement was reached with UNISON, GMB and TGWU on the attached draft constitution. The Council's two full time convenors also agreed the proposals. Three places were allocated to UNISON and GMB and two to TGWU in respect of their significant membership interests in Manual Workers and APT&C groups. One place was allocated to TGWU, AEEU and UCATT in respect of their Craftpersons interests.
- 4.4 The Head of Personnel has communicated regularly with AEEU and UCATT in an effort to seek agreement and re-establish the JCC forum at the earliest. The Council's commitment to consulting its workforce has been emphasised and the Trade Unions encouraged to accept the proposed constitution as reasonable. Both Trade Unions did not consider their proposed membership to be acceptable and asked for a detailed breakdown of their members within the Council. This was provided by the Head of Personnel in his most recent letter of 7 September 2001.

5 CONCLUSION

- 5.1 The Head of Personnel considers the proposed JCC and its constitution as providing a reasonable forum for effective consultation. The membership level has not only to be representative of the constituent groups but also facilitate constructive dialogue. The proposed constitution will normally realise an attendance of no less than 25 at any meeting.
- 5.2 The Council level JCC will continue to be supported by departmental and functional JCCs which consider detailed service related issues. These JCCs can also refer matters to the Council Level JCC.
- 5.3 AEEU and UCATT have been encouraged by the Head of Personnel to agree the proposed JCC. Concessions aimed at reducing concerns in relation to the first draft constitution are reflected in paragraphs 3.4 and 7.7 of the attached document. Three meetings have been convened and five letters sent to try and resolve matters. At the date of this report neither Trade Union has responded to the Head of Personnel's letter of 7 September 2001. The assistance of the Manual and Craft Convenor was also sought.
- 5.4 Although AEEU and UCATT have not responded to the most recent correspondence it is recommended in the interests of the Council's consultative arrangement that they be invited to the new JCC format and that their membership be in accordance with the attached constitution.

6 POLICY/LEGAL IMPLICATION

- 6.1 The proposal will strengthen the Council's response to the national Single Status Agreement and ensure the continuation of effective consultation between the Council and its employees.

7 FINANCIAL IMPLICATIONS

- 7.1 The reduction by one Council level JCC will result in a saving in meeting and related administrative costs.

8 RECOMMENDATIONS

8.1 It is recommended that the Sub-Committee:

- (a) approve the introduction of a Joint Consultative Committee (Local Government Employees and Craftpersons);
- (b) agree to recommend to the Council for approval the attached JCC Constitution and consideration of the Council membership in accordance with paragraph 3.1 of the constitution;
- (c) subject to (b) above being approved, ask the Head of Administrative and Legal Services to arrange an early meeting of the JCC and to extend an invitation to the constituent Trade Unions as detailed in paragraph 3.1 of the Constitution;
- (d) otherwise note the contents of the report.

Fiona Lees
Depute Chief Executive/Director of Corporate Resources
17 September 2001

LIST OF BACKGROUND PAPERS

1. Constitutions of Central Joint Consultative Committees for APT & C etc Staffs and Manual Workers and Craftpersons.

Anyone wishing further information should contact Graham Haugh, Head of Personnel.
Telephone: 01563 576092

DRAFT

APPENDIX 1

EAST AYRSHIRE COUNCIL

CONSTITUTION OF A CENTRAL JOINT CONSULTATIVE COMMITTEE (LOCAL GOVERNMENT EMPLOYEES AND CRAFTPERSONS)

1. TITLE

- 1.1 The Committee shall be called “The East Ayrshire Council Joint Consultative Committee (Local Government Employees and Craftpersons)” hereinafter referred to as “J.C.C.”.

2. OBJECTIVES

The objectives of the J.C.C process can be summarised as follows:

- 2.1 To provide a forum and procedure for Council members and Trades Unions to meet on a regular and constructive basis to exchange information and resolve issues of mutual concern through recommendations to the appropriate Committee of the Council.
- 2.2 To promote and develop good relations between the Council, Management, employees and their Trades Unions.

3. MEMBERSHIP

- 3.1 The J.C.C shall consist of eight members of the Council (6 from the Administration and 2 from the opposition) and nine representatives from the employee organisations represented on the National Negotiating Forums for Local Government employees and Craftpersons groups i.e:

3 UNISON (Local Government Employees)
3 GMB (Local Government Employees)
3 TGWU (Local Government Employees **and Craftpersons**)
1 UCATT (Craftpersons)
1 AEEU (Craftpersons)

- 3.2 The employee representatives shall retire annually at 31 March and maybe re-appointed by their Trade Union provided they remain eligible for membership.
- 3.3 If a Member of the J.C.C ceases to be a member of the Council he/she shall cease to be a member of the J.C.C. Any vacancy thus created shall be filled by the Council, and the members so appointed shall hold membership for the remainder of the period afforded to the preceding Member. Similar arrangements will apply to Trade Union representatives on the J.C.C

DRAFT

- 3.4** Full-time officials of the Trades Unions and officers of the Council may attend meetings of the J.C.C at the request of either side, where considered appropriate. **Similarly, where the Joint Secretaries agree that consideration of an agenda item would benefit from input from a trade union representative who is not a member of the JCC then the representative will be invited to join the meeting for consideration of that item.**
- 3.5** The Trades Unions may appoint a deputy where they would not be represented in a meeting of the J.C.C.

4. CHAIR

- 4.1** The J.C.C shall appoint from amongst its members a Chair and Vice-Chair who shall retire annually at 31 March. If the appointed Chair be a member of the Council, the following year the Chair will be appointed from the Employee Representatives and vice-versa. When the Chair is elected from one side of the J.C.C the Vice-Chair shall be elected from the other.

5. SECRETARIES

- 5.1** The Committee's secretarial roles will be provided by the Head of Personnel on behalf of the Council and by the Trade Union Convenors on behalf of the Trade Unions.

6. OFFICERS

- 6.1** The Chief Executive (or nominee) shall be Clerk to the J.C.C and shall keep Minutes of Meetings, copies of which will be circulated to all J.C.C members, all Members of the Council, all Departments for the information of employees.
- 6.2** The Head of Personnel (or nominee) shall attend all meetings of the J.C.C in an advisory capacity.

7. FUNCTIONS

The functions of the J.C.C shall be: -

- 7.1** to establish regular methods of consultation between the Council and its Local Government Employees and Craftpersons on service conditions which are not specifically determined at national level and other areas of mutual interest. The J.C.C is not a forum to consider individual grievances, disciplinary matters, disputes or pay related issues except when consulting on the policy aspects of these matters;

DRAFT

- 7.2 to secure the greatest possible measure of joint action between the Council and its employees for the development improvements of its services;
- 7.3 to encourage the training and developing of Council employees;
- 7.4 to consider measures of safeguarding the health and welfare of Council employees;
- 7.5 to consider references from the Council or Trades Unions and make recommendations to the appropriate Council Committee.
- 7.6 to refer, as appropriate, any issue for consideration by and advice of the National Negotiating Forums;
- 7.7 to inform the Council of any J.C.C recommendation which appears to be of more than local interest, always provided that such recommendation shall be approved by the Council prior to its submissions to the relevant national negotiating forums.

Footnote

It is emphasised that the JCC is not a negotiating forum. At the date of this constitution the Craftpersons are not part of the national Single Status agreement. The JCC will not encourage their participation in any discussions on Single Status arrangements as the Craftpersons representatives do not wish to participate in any debate on these matters.

8. MEETINGS

- 8.1 The J.C.C shall meet as and when required but not less than four times per year.
- 8.2 The matters to be discussed at any meeting of the J.C.C shall be stated upon the notice calling the meeting, provided that any emergency business may be considered if accepted by general consensus at the meeting, this to be conducted by the Chair and Vice Chair no less than thirty minutes before the meeting.
- 8.3 The Secretaries of the J.C.C will advise J.C.C members of the intention to convene a meeting in order that they may submit, in writing, details of matters which they consider should be placed on the Agenda. J.C.C members will be provided with a minimum of fourteen calendar days notice of a meeting and six calendar days notice of Agenda items.
- 8.4 A special meeting shall be called within fourteen calendar days of receipt, by either of the Secretaries, of a requisition signed by not less than three members or three employee representatives (including a representative of three of the five recognised Trade Unions). Any such requisition shall include a notice of the business to be discussed.

DRAFT

- 8.5** The minutes of J.C.C meetings shall be reported to the Personnel and Property Sub-Committee of the Council, but before submission the minutes shall be signed by the Chair or Vice-Chair or, failing one or other, a representative Member of Council or a Trade Union representative, as appropriate, who was present.

The minutes shall be further distributed in accordance with para 6.1 above.

- 8.6** The J.C.C shall not make any recommendations which conflict with the policy of the National Negotiating Forums.

- 8.7** The Council shall afford the necessary facilities for the employee representatives of the J.C.C to prepare items for the Agenda and to attend the meetings.

9. QUORUM

- 9.1** The quorum of the J.C.C shall be three representatives of each side.

10. RECOMMENDATIONS

- 10.1** Recommendations from the J.C.C shall be submitted to the Personnel and Property Sub-Committee for consideration

11. ALTERATION TO CONSTITUTION

- 11.1** The Constitution of the J.C.C may be altered by mutual agreement of the Council and the Trades Unions represented.

**J.C.C (LOCAL GOVERNMENT EMPLOYEES AND CRAFTPERSONS)
GH/LB/18.5.01**

AGENDA