

EAST AYRSHIRE COUNCIL

JOINT CONSULTATIVE COMMITTEE (TEACHERS)

MINUTES OF MEETING HELD ON WEDNESDAY 24 JANUARY 1996 AT
1500 HRS IN THE MEETING ROOM, LONDON ROAD CENTRE, KILMARNOCK

AUTHORITY SIDE

Present: Councillors Tommy Farrell (Chair), Drew McIntyre, Irene Reeves, David Sneller and Robert Taylor;

Attending: David Montgomery, Chief Executive; John Mulgrew, Director of Education; Margaret Burnell, Senior Depute Director of Education; Sue Angus, Depute Director of Education; Jennifer Wallace, Depute Director of Education; James Lally (Support Unit);

TEACHERS' SIDE

Present: Ian Harvey, John McCracken, Bryce Wilson, Mandy Fullerton and Sandra Smith (representing EIS); John McCallum (representing NAS/UWT); Robert Smith (representing PAT); and Andrew Batton (representing SSTA).

Attending: Norman Bissell, EIS Area Officer.

APOLOGY: Councillor Robert Stirling.

INTRODUCTION/WELCOME

1. The Chief Executive welcomed all present to the first meeting of the East Ayrshire Council Joint Consultative Committee (Teachers) and advised that in terms of the proposed constitution for the Committee which had been agreed by the Policy and Resources Committee held on 16 November 1995, the Committee was required to appoint a Chair and Vice-Chair for the ensuing year.

APPOINTMENT OF CHAIR AND VICE-CHAIR

2. Nominations were invited for Chair. Councillor Farrell was nominated for the office of Chair and was unanimously elected to the Chair.

Nominations were, accordingly, invited for the office of Vice-Chair from the teachers' side; Ian Harvey was nominated and was unanimously elected.

It was agreed that the above appointments should remain in force until 1 April 1997 to cover the first operational year of East Ayrshire Council at which point the office of Chair would pass to the teachers' side.

LIST OF COMMITTEE MEMBERS

3. It was reported and noted that the Council's representatives for the ensuing year would be Councillors Farrell, McIntyre, Reeves, Brailsford, Stirling, Nicoll, Sneller and Taylor and that the staff representatives for the ensuing year would be I Harvey, J McCracken, B Wilson, M Fullerton and S Smith (representing EIS), R Smith (representing PAT), J McCallum (representing NAS/UWT) and Andrew Batton (representing SSTA).

CHAIR'S REMARKS

4. Councillor Farrell welcomed members of the Committee to the first meeting. He highlighted the important role of the Joint Consultative Committee and indicated that he looked forward to working together with the teachers' representatives on a range of key issues facing East Ayrshire Council.

CONSTITUTION

5. There was submitted copies of the constitution (tabled) for the operation of the Joint Consultative Committee (Teachers) in East Ayrshire.

It was agreed formally to adopt the constitution, which had been agreed by the Policy and Resources Committee on 16 November 1995, as detailed in the appendix to these Minutes.

STAFFING STANDARDS

6. The teachers' side expressed their concern that if expenditure reduction proposals for the 1996/97 budget were to be approved in due course staffing standards in schools would be reduced by East Ayrshire Council.

In response the Director of Education clarified the position that there were no plans to reduce the basic classroom staffing standards in schools from those currently operated by Strathclyde Regional Council.

PROPOSED GROWTH/SAVINGS PACKAGE

7. Arising from discussion of the above item, the teachers' side, advised of their concern with regard to staffing as a result of the proposed growth/savings package identified by East Ayrshire Council and currently being circulated for consultation. Particular concern was expressed regarding:
- (i) the proposed reduction in the budget for social strategy staffing enhancements which it was considered would have a significant impact on individual schools in areas of social deprivation; and

- (ii) the long-term implications for staffing in nursery schools should pupil numbers decline following proposals to introduce a charging policy.

The Director of Education advised that it was his intention to arrange a presentation to explain the proposed growth/savings package, which included proposed expansion of pre-5 provision, to Trade Union representatives and to allow them an opportunity to comment thereon as part of the Council's consultative process on the 1996/97 revenue budget and confirmed that these matters could be further discussed at the presentation.

The teachers' representatives welcomed further detailed consultation as proposed and the Committee noted the position.

TRANSFER OF TEMPORARY STAFF

- 8. The teachers' side requested clarification with regard to the position of transferring employees who had been employed on temporary contracts on a long-term basis and requested that such employees be awarded a permanent contract with East Ayrshire Council.

The Director of Education confirmed that Strathclyde Regional Council would be providing this Council with details of all employees with temporary contracts who would be transferring to East Ayrshire Council. This would include details of employees who were considered to have employment protection rights as a result of the length of their service as temporary employees and those employees who would not have such rights.

Councillor Sneller confirmed that it would be this Council's intention to conduct as soon as possible a formal review of the position of all temporary staff individually in relation to their possible continuing employment with East Ayrshire Council on whatever basis as the circumstances merited.

It was agreed that it be remitted to the Director of Education to continue to discuss this matter with Trade Union representatives and report to a future meeting of this Committee.

REDEPLOYMENT OF SURPLUS STAFF

- 9. The teachers' side sought advice on whether capacity would exist within East Ayrshire Council to accommodate surplus staff through redeployment and on whether agreement could be reached among the three Ayrshire Authorities to continue to facilitate surplus staff being redeployed on an Ayrshire-wide basis.

The Director of Education advised that clarification with regard to the number of staff to be redeployed and the number of vacancies which currently existed was expected in the near future and that thereafter a meeting had been arranged between the three Directors of Education in the Ayrshire Authorities to discuss the possibility of making arrangements jointly for accommodating surplus teaching staff over the first year of operation of the new Councils.

It was agreed that the Director of Education continue to liaise with Trade Union representatives on negotiations on this matter.

TRANSFER OF CURRENT STRATHCLYDE REGIONAL COUNCIL AGREEMENTS

10. The teachers' side requested confirmation as to whether current Strathclyde Regional Council agreements would be adopted by East Ayrshire Council.

The Director of Education confirmed that the Education Committee had agreed to adopt all Standard Circulars currently honoured by Strathclyde Regional Council and that he intended to conduct a systematic review of the Circulars.

The Committee noted the position.

ABSENCE COVER/REDUNDANCY POLICY

11. The teachers' side questioned whether East Ayrshire Council would adopt existing teacher absence cover arrangements agreed with Strathclyde Regional Council and requested clarification of the Council's redundancy policy.

The Director of Education confirmed that this Council would honour existing agreements on absence cover, negotiating with the teachers' side further in due course, on arrangements to be put in place on expiry of the current agreements.

With regard to redundancy policy Councillor Sneller confirmed that the proposed savings package identified at this stage, would not result in any compulsory redundancies.

The Committee noted the position.

TIME OFF FOR TRADE UNION DUTIES

12. The teachers' side requested clarification with regard to the question of time off for Trade Union duties.

The Director of Education reported that this was an issue which had not yet been addressed by this Council and it was agreed that it be remitted to the Director of Education in consultation with the Director of Personnel to review existing arrangements and report proposals to the appropriate Committee and that until then existing arrangements be honoured.

FUTURE OF STAFF WELFARE SERVICE

13. The teachers' side requested clarification on the future of the Staff Welfare Service.

The Director of Education advised that he would be discussing this issue with the Director of Personnel with a view to securing arrangements appropriate for East Ayrshire Council.

AGENDA ITEMS

- 14.** The terms of the constitution regarding the agendas for future meetings were noted, and it was agreed that items of urgent business be able to be considered at the discretion of the Chair.

DATE OF NEXT MEETING

- 15.** It was agreed that an informal presentation to allow the teachers' side to discuss the proposed growth/savings package be given by the Director of Education on Tuesday 13 February 1996 at 0930 hours in the Meeting Room, London Road Centre, Kilmarnock and that the next formal meeting of the full Committee be arranged as required.

The meeting ended at 1545 hours.

EAST AYRSHIRE COUNCIL**CONSTITUTION OF A CENTRAL JOINT CONSULTATIVE COMMITTEE
(TEACHERS)****1. TITLE**

- 1.1** The Committee shall be called "The East Ayrshire Council Joint Consultative Committee (Teachers)" 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, Teachers and their Trade 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 eight representatives from the Trades Unions representing Teachers (i.e. 5 EIS, 1 NASUWT, 1 PAT, 1 SSTA).
- 3.2** The employee representatives shall retire annually at 31 December and may be 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 Member 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.
- 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.

- 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. 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. JOINT SECRETARIES

- 5.1 The Committee shall appoint annually Joint Secretaries, one to be nominated by the Council and one to be nominated by the Trades 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 shall be circulated to all J.C.C. members, all Members of the Council and the Education Department for the information of staff.
- 6.2 The Director of Personnel (or nominee) and/or the Education Department Personnel representative 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 Teachers 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.
- 7.2 to secure the greatest possible measure of joint action between the Council and its Teachers for the development and improvement of its services;

- 7.3 to encourage the training and development of Teachers;
- 7.4 to consider measures for safeguarding the health and welfare of Teachers;
- 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 Scottish Joint Negotiating Committee;
- 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 a recommendation shall be approved by the Council prior to its submissions to the Scottish Joint Negotiating Committee.

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 other competent business may be considered if accepted by general consensus at the meeting.
- 8.3 The Joint 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 Joint Secretaries, of a requisition signed by not less than two Members or three employee representatives. Any such requisition shall include a notice of the business to be transacted.
- 8.5 The minutes of J.C.C. meetings shall be reported to the Education Committee and Personnel 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 Scottish Joint Negotiating Committee.

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 Education 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.