

## UNION / EMPLOYEE CONSULTATION COMMITTEE

Minutes of a meeting of the Union/Employee Consultation Committee of the Bolsover District Council held in Committee Room 1, Sherwood Lodge, Bolsover, on Wednesday 10<sup>th</sup> August, 2011 at 1100 hours.

### **PRESENT:-**

Council Representatives:-

Councillors R.J. Bowler, K. Bowman, Mrs. P.M. Bowmer, J.A. Clifton, J.E. Hall, D. McGregor, B.R. Murray-Carr, K. Reid, A.F. Tomlinson, K.F. Walker, E. Watts, G.O. Webster and A.M. Syrett.

Unison Representatives:-

P. Burrows, G. Buxton, R. Farnsworth, R. Frisby, W. Hatton, C. Hirst, A. Lowery, N. Potter and J. Woods.

Unite Representatives:-

C. Dodsworth, S. Sambrooks and T. Walker

Officers:-

S.E.A. Sternberg (Solicitor to the Council), L. Keeling (Head of Human Resources & Payroll) and A. Bluff (Democratic Services Officer).

### **295. APOLOGIES**

Apologies for absence were received from W. Lumley (Chief Executive Officer), J. Hendy (Unison) and C. Gillfillan (Unison).

### **296. ELECTION OF CHAIR (UNION SIDE)**

Moved by C. Hirst, seconded by Councillor E. Watts

**RESOLVED** that A. Lowery be elected Chair of the Union/Employee Consultation Committee for the ensuing year.

A. Lowery in the Chair.

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### 297. APPOINTMENT OF VICE CHAIR (MEMBER'S SIDE)

Moved by Councillor K. Bowman, seconded by Councillor B.R. Murray-Carr  
**RESOLVED** that Councillor E. Watts be appointed Vice Chair of Union/Employee Consultation Committee for the ensuing year.

### 298. URGENT ITEMS

There were no urgent items of business to consider.

### 299. DECLARATIONS OF INTEREST

There were no declarations of interest made.

### 300. TERMS OF REFERENCE

The Terms of Reference were submitted for the meetings consideration.

The Head of Human Resources and Payroll referred to paragraph 12 under the heading, 'Procedure', and stated that this should now be changed from 'ACAS' to 'provincial joint secretaries'.

Moved by Councillor B.R. Murray-Carr, seconded by Councillor G.O. Webster  
**RESOLVED** that paragraph 12 under the heading, 'Procedure', be amended to;

(xii) "If the Committee cannot agree to a negotiable issue, officers of the Trade Union shall negotiate with the appropriate administrative officers of the Council. Failing agreement appropriate matters may thereafter be referred by either side to the **provincial joint secretaries** if necessary".

Unison referred to paragraphs 2 and 3 under the heading, 'Membership', and stated that as the composition for both the Employers side and the Employees side was now twelve, this would need amending in the Terms of Reference.

Moved by Councillor E. Watts, seconded by G. Buxton  
**RESOLVED** that paragraphs 2 and 3 under the heading, 'Membership', be amended to;

(ii) The composition of the Employers' Side of the Committee shall be **twelve** elected Members with voting rights and substitutes in the event of nominated Members being unable to attend. The Chief Executive, Head of Human Resources and Payroll and Director of Resources shall attend in an advisory capacity without voting rights; together with such

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other officers of the Council as may be appropriate having regard to matters to be discussed.

(iii) The Employees Side of the Committee shall comprise **twelve** representatives selected by the local branch of the Trade Union representing the employees, together with full-time Trade Union officials (if required).

Moved by Councillor B.R. Murray-Carr, seconded by C. Hirst

**RESOLVED** that subject to the inclusion of the above amendments, the Terms of Reference for the Union/Employee Consultation Committee, be agreed.

**RECOMMENDED** the amendments be referred to Standards Committee for changes to the Constitution.

(Solicitor to the Council & Monitoring Officer / Head of Democratic Services)

### **301. MINUTES – 20<sup>th</sup> APRIL 2011**

Moved by Councillor G.O. Webster, seconded by Councillor E. Watts

**RESOLVED** that the minutes of a meeting of the Union/Employee Consultation Committee held on 20<sup>th</sup> April 2011 be approved as a correct record.

### **302. PUBLIC SECTOR APPRENTICESHIP PROGRAMME**

The Head of Human Resources and Payroll presented a report which gave details of the Public Sector Apprenticeship Programme for the period April to June 2011.

The 15 apprentices in the 16 to 18 year age group remained on programme at the end of June, though one apprentice had tendered his resignation and had left on 5<sup>th</sup> July. Five of these apprentices had achieved their level 2 apprenticeship frameworks.

In the 18 plus age group, 40 out of the 61 recruited since January 2010 remained on programme. Reasons for the 21 leavers were given in the report of which six were dismissals. Unison raised concern with regard to the high level of dismissals and that none of these were Unison members. The Head of Human Resources and Payroll replied that this group were from the long term unemployed and as such should not be compared with the dismissal rates of other employees. All support measures had been put in place prior to dismissal. She also added that all apprentices were provided with information on joining a Union at induction stage.

It was reported that further bids had been submitted to allow the continuance of the apprenticeship programme but one of these bids had been unsuccessful. Councillor Watts informed the meeting that he had recently been advised that the second bid

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had also been unsuccessful. He added that although there was a high level of dismissals, the positive outcomes from the scheme should be focused on. Natasha Engel, Labour MP for North East Derbyshire, had looked into the apprenticeship scheme and had met Bolsover's apprentices. The apprentices realised and appreciated the opportunity they had been given, which had changed their lives. Apprentices at the Royal Hospital had been put into permanent employment and the hospital had approached the Authority directly for further apprentices.

A Unison representative raised a question with regard to multi-agency work and how vulnerable young people could be protected.

Councillor Watts and the Head of Human Resources and Payroll replied that a lot of 'behind the scenes' work was carried out to support apprentices and added that it would be worthwhile for the Unison representative to speak further with the Apprenticeship Co-ordinator regarding this.

Councillor Reid added that the apprentices were having a get together day in September at the Assembly Rooms in Bolsover and suggested that the Unions could go along to this. The Head of Human Resources and Payroll added that Graham Emberton from Unison, and Mark Young from UNITE had previously attended a meeting with the apprentices.

Moved by Councillor E. Watts, seconded by C. Hirst  
**RESOLVED** that the report be received.

### **303. EQUALITIES MONITORING REPORT**

The Head of Human Resources and Payroll presented a report in respect of Equalities Monitoring Data on the Council's performance on equalities issues in relation to its employment practices.

Unison requested clarification on recommendation two in the report. The Head of Human Resources and Payroll replied that this was with regard to looking at correcting any adverse trends in data.

The Head of Human Resources and Payroll advised the meeting of an error on the report and that it covered the period April to June 2011 and not January to March 2011 as stated.

Councillor Syrett raised a question in relation the word 'gay' being used in the Council's monitoring forms instead of 'homosexual'. The Head of Human Resources and Payroll replied that this was the terminology that had always been used and no issues had been raised from the Equality and Improvement Officer regarding this.

Councillor Tomlinson raised whether the data outlining where applicants had seen the vacancies was useful to the Committee. It was agreed that for future reports this information was not needed.

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Moved by Councillor G.O. Webster, seconded by Councillor E. Watts

**RESOLVED** that (1) the report be noted,

(2) data relating to where the candidates had seen the advert should not be included in future reports.

(Head of Human Resources and Payroll)

### **304. SICKNESS ABSENCE/OCCUPATIONAL HEALTH STATISTICS 2010/11**

The Head of Human Resources and Payroll presented a report in respect of sickness absence/occupational health statistics. The report was for monitoring purposes only and there were no specific issues for consideration.

Unison queried if the report needed to be presented to UECC as it was also presented to Safety Committee. The Head of Human Resources and Payroll replied that she had been asked to present the report to both committees.

A short discussion took place and it was agreed that the report continue to be presented to UECC.

Moved by Councillor E. Watts, seconded by Councillor A.F. Tomlinson

**RESOLVED** that the Sickness Absence/Occupational Health Statistics Report continue to be presented to UECC.

(Head of Human Resources and Payroll / Head of Democratic Services)

The sickness/absence target for 2010/11 was 8.4 days and the outturn was 7.97 days compared to 8.39 days for 2009/10. A breakdown by department was attached to the report.

There were 48 occupational health referrals in 2010/11 compared to 47 in 2009/10. A breakdown of reasons for these was included in the report.

The meeting's attention was drawn to the figures regarding the top three causes of sickness absence in 2010/11 and the Head of Human Resources and Payroll advised that some of the figures were incorrect in the table. The figure for number of days lost due to muscular/skeletal illnesses was correct at 1137. The figure regarding stress should be 483 and not 481, and the figure for infections should be 447 and not 444, this bringing the total number of days lost to 2067.

The Head of Human Resources and Payroll reported that out of the 16 number of employees citing muscular/skeletal as reason for absence, only two of these cases were work related.

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A number of routine health surveillance clinics had been held during the financial year 2010/11 and had covered topics such as hand arm vibration, audiometry, driver medicals, blood tests, and hepatitis B immunisations to 'at risk' groups.

Moved by Councillor J.A. Clifton, seconded by C. Hirst  
**RESOLVED** that the report be received.

(Head of Human Resources and Payroll / Head of Democratic Services)

### 305. DRAFT PEOPLE STRATEGY 2011-15

The Head of Human Resources and Payroll presented the draft People Strategy 2011-15 for Committee's consideration and to suggest any amendments necessary to the Strategy.

An evaluation of the key outcomes for the People Strategy 2008-11 was included in the Draft People Strategy 2011-15 at appendix one and a summary of these outcomes was included in the body of the report. It was noted that the key outcomes did not include the apprenticeship programme, as this was introduced following production of the People Strategy.

Appendix two outlined key improvement activities focusing on the key challenges relating to reductions in budgets, and the implementation of the Strategic Alliance. Until the implementation of the Strategic Alliance and the Corporate Plan was finalised, it was not possible to produce a four year strategy and so it had been agreed to commence a refresh of the Strategy in April 2012.

With regard to 'Savings Targets' at Appendix two, Unison raised concern that they had not been provided with any updates or meetings for further negotiation and consultation as previously agreed to by management. A number of savings ideas had also been put forward with no feedback from management. Unison expected a greater involvement than what was currently being given.

A lengthy discussion took place.

Councillor Watts replied that full consultation with the Unions would be put in place, though not all information could be provided as some information was 'sensitive'.

Moved by Councillor E. Watts, seconded by C. Hirst  
**RESOLVED** that (1) the report be received,

(2) the Draft People Strategy 2011-15 be referred to Council for approval.

(Head of Human Resources and Payroll / Head of Democratic Services)

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### 306. BUDGET SAVINGS

The Head of Human Resources and Payroll presented a report regarding proposed budget savings in relation to changes to the car allowances/lease car scheme. The Head of Human Resources and Payroll also circulated the latest savings strategy to the meeting.

Feedback from the Unions and non trade union employees regarding these changes had been presented to the UECC meeting in April 2011, and following debate, it had been agreed that further feedback on alternative suggestions be presented to a meeting of the Management Team/Trade Union Liaison for discussion. This additional feedback had been presented to Management Team/TUL in June and was now attached to the report. Detailed feedback had been provided to the UNISON separately. The report set out the current position on the proposals along with a response from the Director of Resources in respect of car loans.

It was noted that the Employer's side proposals remained unchanged in view of the funding gap which exists over the next three years.

Unison raised concern that the length of time between receiving the UECC agenda and the meeting taking place, did not give the Unions time to consult with their Members.

A lengthy discussion took place.

### 307. LUNCH TIME ADJOURNMENT

The time being 1230 hours consideration was given as to whether the day's business could be concluded by 1400 hours.

Moved by Councillor E. Watts, seconded by Councillor A.F. Tomlinson  
**RESOLVED** that in view of the number of items remaining on the agenda, the meeting should continue.

### 306. BUDGET SAVINGS (Continued)

Unison further raised concern that they had not received updates on a number of issues regarding the savings strategy, only the update circulated at this meeting by the Head of Human Resources and Payroll.

Following further lengthy discussion it was agreed to refer the decision to the dispute resolution procedure set out in the National Agreement (Green Book).

Moved by Councillor D. McGregor, seconded by C. Hirst  
**RESOLVED** that (1) following consideration of the consultation feedback from both sides, referral be made to the dispute resolution procedure set out in the

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National Agreement (Green Book), in respect of the proposed changes to the NJC Car Allowance Scheme, the Lease Car Scheme and the withdrawal of the provision of car loans,

(2) the employer's side position that it was not prepared to agree to binding arbitration through ACAS be noted.

(Head of Human Resources and Payroll)

### **308. THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

Moved by Councillor E. Watts, seconded by Councillor J.A. Clifton

**RESOLVED** that under Section 100(A)(4) of the Local Government Act 1972 (as amended), the public be excluded from the meeting for the following items of business on the grounds that they may involve the likely disclosure of exempt information as defined in the stated Paragraph of Part 1 of Schedule 12A of the Act and it is not in the public interest for that to be revealed.

### **309. DRAFT TRADE UNION FACILITIES AGREEMENT 2011 EXEMPT PARAGRAPH 4**

The Head of Human Resources and Payroll presented a report in respect of the draft Trade Union Facilities Agreement.

Consultation on the draft Trade Union Facilities Agreement had taken place with UNISON/UNITE representatives, Senior Management Team, Extended Management Team, Heads of Service (outside Extended Management Team) and suggested amendments had been made which could be seen as tracked changes in the document attached to the report.

A discussion took place with regard to the Unions having their own, and, direct access to a web page on the Council's intranet. It was made clear that the Council had no objections to this, but that this would be subject to the Government Publicity Code.

Councillors Clifton and Bowman left the meeting at this point.

Moved by Councillor E. Watts, seconded by Councillor G.O. Webster

**RESOLVED** that (1) the report be received,

(2) the Trade Union Facilities Agreement be referred to Council for approval.

(Head of Human Resources and Payroll / Head of Democratic Services)



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### 310. DRAFT GRADING REVIEW PROCEDURE 2011 EXEMPT PARAGRAPH 4

The Head of Human Resources and Payroll presented the draft Grading Review Procedure 2011 for Committee's consideration and feedback.

A report had been submitted to UECC in April 2011; however, this had been deferred and as a result had provided time for a full review of the Grading Review Procedure to take place.

Consultation on the draft Grading Review Procedure had taken place with Senior Management Team, Extended Management Team, Heads of Service (outside Extended Management Team) and UNISON/UNITE representatives with suggested amendments taken on board which could be seen as tracked changes in the document.

Moved by Councillor E. Watts, seconded by C. Hirst  
**RESOLVED** that (1) the report be received,

(2) the draft Grading Review Procedure be approved.

(Head of Human Resources and Payroll)

### 311. DRAFT FLEXI TIME SCHEME EXEMPT PARAGRAPH 4

The Head of Human Resources and Payroll presented the draft Flexi Time Scheme document for Committee's feedback on amendments made to the scheme.

The amendments had been made to bring the document in line with Leave Guidelines and Pay Agreement which had already been previously approved by Council.

Consultation on the draft Flexi Time Scheme had taken place with Senior Management Team, Extended Management Team and Heads of Service (outside Extended Management Team).

Moved by Councillor A.F. Tomlinson, seconded by C. Hirst  
**RESOLVED** that (1) the report be received,

(2) the draft Flexi Time Scheme be approved and updated on ERIC.

(Head of Human Resources and Payroll)

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### 312. DRAFT SHARED SERVICES PROTOCOL 2011 EXEMPT PARAGRAPH 4

The Head of Human Resources and Payroll presented the draft Shared Services Protocol 2011 for Committee's consideration.

The draft document had been produced due to the discontinuation of the Joint Working Consultation Forum across Chesterfield Borough, North East Derbyshire and Bolsover District Council, and replacement of the forum with ad hoc meetings on shared services.

The Head of Human Resources and Payroll drew the meeting's attention to paragraph four in the report and advised that September was incorrect and this would now be October. The following changes were also proposed to the protocol:

Point 1.1 - a note had been added that the bullet points listed are not an exhaustive list.

Point 1.2 - a note had been added to explain that once the outline business case had been concluded the proposal for joint working on a shared service may cease at this stage.

Moved by C. Hirst, seconded by Councillor E. Watts

**RESOLVED** that (1) the report be received,

(2) the amended draft Shared Services Consultation Protocol be referred to Council for approval and Council be recommended to send it to Standards Committee for inclusion in the Council's Constitution.

(Head of Human Resources and Payroll / Head of Democratic Services)

### 313. DRAFT HOME WORKING POLICY EXEMPT PARAGRAPH 4

The Head of Human Resources and Payroll presented the draft Home Working Policy which had been reviewed to clarify provisions for staff submitting applications for home working, ad hoc home working and contracted home working.

Consultation on the draft Home Working Policy had taken place with Senior Management Team, Extended Management Team and Heads of Service (outside Extended Management Team) and suggested amendments had been taken on board but no substantive changes had been made to the Policy.

Further to a question raised by Councillor Walker, the Head of Human Resources and Payroll advised that there had not been any increases in applications for home working.

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Moved by C. Hirst, seconded by Councillor E. Watts

**RESOLVED** that the Home Working Policy be referred to Council for approval.

(Head of Human Resources and Payroll / Head of Democratic Services)

### 314. UPDATE TO LIST OF EMPLOYEES AUTHORISED TO TAKE DISCIPLINARY ACTION EXEMPT PARAGRAPH 4

The Head of Human Resources and Payroll presented a report in relation to the list of employees authorised to take disciplinary action as part of the Disciplinary Procedure.

In respect of apprentices, it was proposed to add the Head of Human Resources and Payroll to the list at level 3, and the Apprenticeship Co-ordinator at level 1, for the reasons outlined in the report.

Unison raised that apprentices should expect the same level of treatment as full time employees.

The Head of Human Resources and Payroll stated that one issue was that most of the apprentices are not placed with the Council but with outside companies who could refuse to have an apprentice on their premises. Also that it usually would take two to four weeks to get in a Director's diary.

A short discussion took place.

It was agreed that the report be deferred to allow further discussions to take place.

Moved by Councillor E. Watts, seconded by Councillor E. Hall

**RESOLVED** that the report be deferred until the next meeting of UECC to allow further discussions to take place.

(Head of Human Resources and Payroll / Head of Democratic Services)

The meeting concluded at 1255 hours.