LOCAL JOINT CONSULTATIVE COMMITTEE

Minutes of the meeting held at 6.30 pm on 21 September 2011

Present:

Employer's Side	Staff Side and Departmental Representatives
Councillor Russell Mellor (Chairman)	
Councillor Eric Bosshard	Adam Jenkins, Unison
Councillor Tony Owen	Glenn Kelly, Staff Side Secretary
Councillor Colin Smith	Max Winters, Children and Young People Services
Councillor Diane Smith	
Councillor Michael Turner	Doreen Bruno, Unite
	Mary Odoi, Unite

33 APOLOGIES FOR ABSENCE AND NOTIFICATION OF ALTERNATE MEMBERS

Apologies for absence were received from Mrs. Kathy Smith (Vice-Chairman), Councillor Nicholas Bennett and Councillor Stephen Carr.

34 DECLARATIONS OF INTEREST

Councillor Mellor made a declaration of prejudicial interest in relation to Single Status and Carelink and withdrew from the meeting during discussion on this item.

Councillors Colin and Diane Smith made a declaration of personal interest as their daughter was a part-time employee of Bromley Library.

35 MINUTES FROM THE PREVIOUS MEETING OF LOCAL JOINT CONSULTATIVE COMMITTEE HELD ON 14th JULY 2011

RESOLVED that the minutes of the meeting of the Committee held on 14th July 2011 be agreed.

36 MATTERS ARISING

Minute 17 – Car Parking Fees (10.03.11)

The Committee was advised that the Director of Resources would be completing the proposal for car parking fees in the coming week after which it would be submitted for consideration to the Chief Officers' Executive (COE).

Once agreed by COE the proposal document would be circulated for consultation.

Minute 30 – Single Status Appeal Process (14.07.11)

Councillor Mellor left the meeting during discussion on this item and Councillor Owen took the chair.

At the meeting of the Committee held on 14th July 2011 it was resolved that the feedback of the outcome between management and the trade unions on possible changes to the single status appeal procedure be reported to a future meeting of the Committee.

The Assistant Chief Executive (HR) advised that a meeting had taken place with Unison and the GMB who were in the process of agreeing a proposal. The agreed proposal would then be submitted to Unite to take forward.

The Staff-side Secretary commented that the original protocol had been approved by the three unions and so this proposal would also have to be approved by the three unions.

The Assistant Chief Executive acknowledged this position but as Mrs. Kathy Smith was on holiday at the moment, agreement from Unite had been delayed slightly.

Councillor Mellor returned to the meeting.

Minute 31 - Sickness Procedures (14.07.11)

The Assistant Chief Executive (HR) reported that he had had a useful meeting with the Staff-side Secretary in which they looked into rewording a particular aspect of the Sickness Procedure.

The Staff-side Secretary reported that the suggested rewording looked acceptable but he would need to consult with others before agreeing to the changes.

37 THE COUNCIL'S FINANCIAL STRATEGY

On 7th September 2011 the Council's Executive agreed a report on the "Council's Financial Strategy for 2012/13 to 2015/16". The Staff-side had requested that the implications and meaning of the report be discussed at the meeting.

The Chairman welcomed the Council's Finance Director, Mr. Peter Turner and the Head of Corporate Procurement, Mr. Dave Starling, to the meeting.

The Staff-side Secretary stated that he had two areas of concern regarding the Council's Financial Strategy. He had attended the meeting of the Executive at which this decision was approved regarding the future management of the budget. He felt that the Council must protect frontline

services and use the Council's reserves to underpin the budget if necessary. Management had inferred that reserves would not be used so he had been surprised to see the proposal to use £14m for "invest to save" initiatives and £10m for the regeneration/investment fund. It appeared that the Council was happy to 'gamble' by buying investments such as high street businesses but this would not protect jobs. With regard to "invest to save", he was happy to use it for in-house or in-Borough provision but was concerned with the suggestion of using loans. He asked who the loans would be made to.

The Staff-side Secretary's second concern was the attempt to frontload Council savings for years 3 and 4 which would hit employees now, at the beginning of another period of recession, rather than later. It was noted that a General Election might cause a partial or complete u-turn from the Government regarding public sector funding as the cuts to public sector services would make the Government increasingly unpopular with the public. Therefore the Council could hold fire with the proposed frontloading to see how the Government reacted instead of the "slash and burn" approach advocated by the Council which would lead to cuts in services and reduction in the numbers of staff. 110,000 public sector jobs had been lost nationally in the last three months.

The Finance Director advised with regard to the reserves, due to the low interest rates, earnings from the reserves were quite low and the proposals had been designed to find a higher return. The increased income would be used to protect frontline services. Investment initiatives would be approved on the merit of submitted business cases and therefore it could not be called 'gambling'. The investment would have to supply income and capital value and provide wider regeneration. The 'invest to save' principle would protect frontline services in the long term. If the reserves were used in the way suggested by the Staff-side Secretary then the money could only be spent once. The 'invest to save' money could be used as a wider investment fund. The Council must achieve sustainable financial management. The frontloading proposal would give the Council time to consider and make the correct decisions. It was too much of a risk to wait for the Government to make a full or partial u-turn and any change in direction from the Government would cause the Council to have to implement ill-thought out, quick decisions.

The Chairman noted that 'gambling' with taxpayer's money would be the last thing the Council would do.

Councillor Colin Smith stated that he had sympathy with a number of the points raised by the Staff-side Secretary. However, the Council must find ways to get a better return on its reserves and many of its choices would be unpalatable. Bromley had spent 13 years being on the wrong side of Government and had suffered financially in comparison to other London Boroughs as a result. As a consequence the new "one size fits all" cuts being implemented had disproportionately affected the Council. Councillors had been lobbying to bring the Government's attention to the Council's position. The Council must protect vital services and reserves would only last two years if used to directly fund these services. It was possible, for instance, to sell a

farm, but the income generated from the property may be worth more to the Council in the long term than a short term one off payment.

Councillor Bosshard pointed out that the economy was not in a period of depression but in a long period of austerity which may last for ten years and there was no quick fix available for what was a worldwide state.

The Staff-side Secretary stated that the Council must invest to escape from the recession. The “slash and burn” policy had not worked in Greece. The United States of America had been investing a huge amount of money in their economy. The Staff-side Secretary accepted the good intentions of the Council to obtain a better return but gambling on retail returns was too risky. With regard to frontloading, the Council had made a two year plan and he felt that a breath should be taken before moving onto years 3 and 4.

The Chairman reminded the Committee that the cuts had been forced upon the Council by previous Governments and the Council was trying to address the deficit in funding and to balance the books. He stated the Councillors would keep the Staff-side Secretary’s concerns in mind.

38 THE COUNCIL PROCUREMENT STRATEGY AND THE IN-HOUSE SERVICES

For the first time in a number of years the Council had been looking to out-source a number of its services to the private sector which was causing anxiety amongst staff. Unlike in the past, management had not been giving the appropriate in-house service the opportunity to demonstrate that it is able to deliver the quality and level of service required and to demonstrate that it could deliver efficiencies. The Staff-side believed that such an approach was flawed and risked the Council entering into contracts which would neither deliver the quality of service required nor the expected savings.

The Staff-side Secretary asked what measures were in place for staff/unions to bid to undertake services prior to outsourcing being considered. Before outsourcing took place there should be an open discussion about whether the service could be provided in-house which included details of the costings. There should also be an examination of external providers. This used to take place 12 to 15 years ago but seemed to have fallen into disuse. Prior to the 30 day ICES equipment consultation the unions had not been contacted.

Members were informed by the staff side that every service in Adult and Community Services was going to be the subject of market testing. With regard to providing medical equipment in the home, the Staff-side Secretary had spoken to the appropriate members of staff who had reported that they could bring back the service from outsourcing and could provide the equipment at the same cost. The Head of HR Operational Services said that the in-house option was being considered as it provided the benchmark, however it might not be the recommended option. The Council needed time to check the validity of such claims. The same situation applied to the Liberata bid. The Staff-side Secretary stated he would like to be in a position to

propose a procurement protocol that would ensure that the staff and unions were consulted with at the beginning of a market testing process. A draft protocol had been started and he would be putting it to management for consideration in due course.

Councillor Owen advised that frontline staff had the best knowledge on how to provide their services and he was very interested to hear about the ICES staff idea. Members were reminded that the Chief Executive encouraged staff to bring their ideas forward for consideration.

The Head of Corporate Procurement advised that, in cases of major procurement, the Council has arrangements in place to consider all contracts on a Value for Money basis and there should be time in the process to consider other forms of contracting, ideas and other proposals and this usually happened. The Staff-side Secretary stated that whilst officers may believe this work was undertaken, it was not. Liberata was contracted to 'keep it local' but might, in the future, outsource to Barrow which would affect the quality of the service delivered to Bromley residents. It was not always about money but also about the quality of the service. The Staff-side Secretary also cited other examples of where Council staff could undertake a service in a more cost effective way.

Councillor Colin Smith broadly supported Councillor Owen's opinion. Staff would always know the day to day operational requirements of their jobs/department best but all options must be investigated.

The Assistant Chief Executive (HR) agreed that at the point of decision to outsource a service, staff views should have been heard. The investigation of all options on the different ways to provide a service should be embedded in the culture of the Council. Officers should look at the various options if they have time. He advised that a Corporate Departmental Representative Forum was to be held on Friday 23rd September 2011 and he would raise this subject at that meeting.

The Staff-side Secretary stated that he was not interested in introducing a bureaucratic process but the Council had legal obligations to consult at the earliest stage for instance, duties under the equality legislation etc and he felt that a protocol should be created for Officers' use.

Following a question concerning the London Consortium, the Head of Corporate Procurement advised that it was a London-wide body that gained economies of scale and that when viewed overall, considering all associated costs, it would be expected to deliver value for money.

The Chairman concluded the debate by saying that the Committee was not opposed to the germ of the idea put by the Staff-side Secretary but was against a bureaucratic process. He asked that the Committee be kept informed of progress.

39 SEASON TICKET LOANS

The Council, in line with other local authorities, provided loans to staff to purchase annual train season tickets. However, the repayments for these loans were taken back over a ten month period instead of a twelve month period effectively making it more expensive per month than a normal monthly season ticket.

In light of the fact that staff had not had a pay rise for two years, that inflation was running at 5% and that train fares were set to increase by 8%, the Staff-side was requesting that the season ticket loans be extended to a twelve month repayment model.

The Finance Director advised that he was happy to change the repayment of the loan to over 12 months instead of 10.

RESOLVED that the loans provided to staff to purchase annual train tickets be extended to a twelve month repayment model.

40 DATE OF NEXT MEETING

The Committee noted that the next meeting of the Committee would be held on 7th December 2011.

The Meeting ended at 7.30 pm

Chairman