

LOCAL JOINT CONSULTATIVE COMMITTEE

Minutes of the meeting held at 6.30 pm on 22 March 2012

Present

Employer's Side

Councillor Russell Mellor (Chairman)
Councillor Nicholas Bennett J.P.
Councillor Eric Bosshard
Councillor Stephen Carr
Councillor Michael Turner

Staff Side and Departmental Representatives

Kathy Smith (Unite) (Vice-Chairman)
Richard Harries (Unite)
Glenn Kelly, Staff Side Secretary
Max Winters, Children and Young People
Services

41 APOLOGIES FOR ABSENCE AND NOTIFICATION OF ALTERNATE MEMBERS

Apologies were received from Councillors Tony Owen, Colin Smith and Diane Smith. Councillor Mrs Anne Manning attended as alternate for Councillor Colin Smith.

When agreeing minutes of the previous meeting, it was advised that Mr Adam Jenkins represented Unite and not Unison (as recorded on the meeting agenda). Apologies for absence were provided for Mr Jenkins and Mr Richard Harries representing Unite attended as alternate.

42 DECLARATIONS OF INTEREST

There were no declarations.

43 MINUTES FROM THE PREVIOUS MEETING OF THE LOCAL JOINT CONSULTATIVE COMMITTEE HELD ON 21ST SEPTEMBER 2011

The minutes were agreed subject to Mr Adam Jenkins being recorded as a Member of Unite rather than Unison.

44 STAFF SIDE ITEMS FOR CONSIDERATION

A) COUNCIL PROPOSAL TO OPT OUT OF NATIONAL TERMS AND CONDITIONS

For this item, copies of power point presentation slides were provided with the agenda.

The Staff Side Secretary referred to anxiety amongst staff concerning the proposal to withdraw from national terms and conditions; there was staff suspicion on the proposal at a time of cuts, redundancies and a pay freeze. He considered that a 1st April pay award date and any backdating could be possible under local conditions and this could not, he felt, be a reason to withdraw from national conditions. Instead he was concerned that a 1st April pay award date would be imposed under local conditions along with a pay award.

Under national conditions, the Staff Side Secretary indicated that LBB can already pay over and above the grade to recruit and retain. He also indicated that local pay and conditions are not necessary for single status. Additionally, under national arrangements there was nothing to prevent the Council granting more leave or remuneration. It was necessary to ask why the Council should have local pay and conditions. The previous day's national Budget included reference to public sector regional pay bargaining and he asked why the matter could not be left within the remit of Government.

If it was intended to proceed with the proposal, the Staff Side Secretary warned that agreement would not be obtained and there would be large scale industrial action. If there were no real proposals to change and if flexibility was already available in national arrangements, he advocated withdrawing the proposal now rather than waste time and to avoid industrial action.

In response, the Assistant Chief Executive referred to coming out of the national framework on a status quo basis. The concept (of local terms and conditions) had been built on the basis that national arrangements for Bromley do not reflect local circumstances and the desire to realign employment frameworks. With reference to the budget (and references to regional pay bargaining) it was possible to see that the national arrangement could not go forward; the national framework had not given flexibility. The Assistant Chief Executive enquired of what staff were worried about concerning terms and other matters. The logic behind the proposal was that the Council could better align decision processes with financial arrangements; it was having the flexibility particularly to reward on a local basis better than was currently possible. Management was prepared to negotiate with Trade Unions and the Council was not taking the proposal forward with a desire to reduce terms of conditions – the Council would always remain competitive in the local market.

The Vice-Chairman felt that there was nothing outlined by the Assistant Chief Executive which gave a reason for taking the proposal forward. There was already flexibility under national terms and conditions, unless there were proposals to reduce current provision. It was necessary for the Assistant Chief Executive to explain why this was being undertaken. She enquired of the reasons for wanting to opt out of national arrangements if there was no intention of lowering current provision. This was causing major problems and she could not understand why such action to staff was being considered at this time. Mr Richard Harries enquired of what it was that management had not obtained from national arrangements and negotiations that was wanted.

The Assistant Chief Executive referred to the annual pay award process. There were some parts of national terms and conditions that needed to be brought up to date; the process was so protracted. It was necessary to make changes for the future and the Council needed to be in a position where its terms and conditions could change. National finances could change and it was necessary for employers to respond.

Councillor Stephen Carr referred to a culture change and a need for the Council to be master of its own destiny. He also referred to rewarding flexibility and singling out for rewarding, indicating that there would be no reductions for what people were earning in or out of national terms and conditions. He added that there was nothing sinister in the proposal. Councillor Nicholas Bennett indicated that there would not be national pay bargaining at Bromley if the Council were starting again. It was not proposed to cut away what staff had at the moment. But there was a desire for Bromley to be master of its own house and destiny. Councillor Bennett indicated that it should be the Council negotiating with its staff and that this should not be taken away by national arrangements. Councillor Michael Turner highlighted that the former London County Council was not part of national terms and conditions. He felt that a local authority as an employer should be completely in charge of its terms and conditions of employment. Councillor Eric Bosshard also referred to the Localism Act and highlighted that flexibility is needed.

The Staff Side Secretary suggested that it would be difficult for the Council to be in control of its future destiny as so much emanates from central government. He suggested that workers felt more security and less vulnerability with national arrangements.

Where there was no additional funding, the Staff Side Secretary suggested that the only way to pay a worker more was to take away from others e.g. one receives performance pay and others do not. In any consultation with staff he suggested there was no evidence that opting out of national terms and conditions would be supported.

Councillor Carr referred to the achievement of savings with approaches such as efficiency; savings had been imaginatively achieved to protect front line services.

The Chairman referred to the staff side in previous years requesting greater flexibility and it was flexibility that was now being offered, however, the Staff Side Secretary felt that the only conclusion his side could draw was that the employers wanted to go below the minimum. The Chairman referred to the Council wanting to obtain the best people and to reward accordingly.

In conclusion, it was explained that the proposal would be discussed again when it came up for consultation.

B) CHRISTMAS/NEW YEAR HOLIDAY 2012/13

The Staff Side raised their objection to a proposed enforcement of leave in the 2012 Christmas/New Year Holiday period. The date had been highlighted on the agenda as 30th December 2012 but as this was a Sunday it should have referred to Monday 31st December 2012.

The Staff Side Secretary objected to the date being imposed on staff. He felt that it was unnecessary and would not save on heating costs. He asked that staff be given the choice of day to take as leave.

The Assistant Chief Executive explained that 31st December was not dissimilar to 24th December and there had been no argument from the staff side about Council offices closing on 24th December. Organisations needed to be efficient and business like. A range of leave flexibility had been provided for staff on 31st December i.e. annual leave, time off in lieu etc. The proposals were also being suggested nine months in advance. The same arguments that apply for 24th December also apply to 31st December, except that the former is the discretionary concessionary leave. All essential services would remain open on 24th and 31st December.

Referring to private sector practice where companies could often close between Christmas and the New Year, Councillor Bennett was unsupportive of opening a building for one day and for it to then be closed again the next.

As a reward for staff, the Vice-Chairman suggested that one day additional leave be given for closing on 31st December. She suggested that this would be an example of showing goodwill to staff. Mr Harries supported this approach.

The Chairman advised that LJCC was a consultative Committee and as such did not possess the powers to decide on such matters. The Staff Side Secretary suggested that the initiative was a practice change for which there was no evidence base and he felt that it was unnecessary.

C) ATTENDANCE AT DEPARTMENTAL TRADE UNION DEP REPS MEETINGS

It was agreed that discussion on this item was no longer necessary as the matter had been satisfactorily settled.

D) COUNCIL PROPOSAL TO INTRODUCE CAR PARK CHARGING

The Assistant Chief Executive encouraged the Staff Side Secretary and others to respond to a forthcoming consultation on the introduction of car parking charges for staff.

E) COUNCIL POLICY AS TO THE USE OF VOLUNTEERS

This item was deferred to the Committee's next meeting as no prior briefing on the matter had been provided from the staff side.

45 DATE OF NEXT MEETING

The Committee's next meeting would be held on Thursday 12th July 2012.

The Meeting ended at 7.40 pm

Chairman