



BROMLEY CIVIC CENTRE, STOCKWELL CLOSE, BROMLEY BRI 3UH

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DATE: 27 November 2012

To: Members of the
LOCAL JOINT CONSULTATIVE COMMITTEE

Employer's Side

Councillor Nicholas Bennett J.P.
Councillor Eric Bosshard
Councillor Stephen Carr
Councillor Ellie Harmer
Councillor William Huntington-Thresher
Councillor Russell Mellor
Councillor Tony Owen
Councillor Colin Smith
Councillor Diane Smith

Staff Side and Departmental Representatives

Richard Harries, Unite
Adam Jenkins, Unite
Glenn Kelly, Staff Side Secretary
Peter Moorcock, GMB
Mary Odoi, Unite
Kathy Smith, Unite
Max Winters, Education & Care Services

A meeting of the Local Joint Consultative Committee will be held at Bromley Civic Centre on **WEDNESDAY 5 DECEMBER 2012 AT 6.30 PM**

Rooms have been reserved for Members and the Staff Side to meet separately at 6pm before the meeting commences at 6.30pm. The Assistant Chief Executive (Human Resources) will be available from 6.00pm to brief Members.

MARK BOWEN
Director of Resources

A G E N D A

- 1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**
- 2 DECLARATIONS OF INTEREST**
To record any declarations of interest from Members present.
- 3 MINUTES FROM THE PREVIOUS MEETING OF THE LOCAL JOINT CONSULTATIVE COMMITTEE HELD ON 5TH SEPTEMBER 2012 (Pages 3 - 6)**

4 STAFF SIDE ITEMS FOR CONSIDERATION

a FORMAL CONSULTATION ON OUTLINE SERVICE PROPOSALS AND PROCUREMENT STRATEGY- CUSTOMER SERVICES

The Staff Side have requested this item for discussion referring to the report submitted to the Executive meeting on 28th November 2012. The report can be seen via the following link:

<http://cds.bromley.gov.uk/documents/g4200/Public%20reports%20pack%20Wednesday%2028-Nov-20.pdf?T=10>

b PARKING SHARED SERVICES_(Pages 7 - 12)

The Staff Side have requested this Item for discussion referring to the report submitted to the Executive meeting on 28th November 2012. The report can be seen via the following link:

<http://cds.bromley.gov.uk/documents/b50004883/Supplement%20Pack%20for%20Parking%20Shared%20Servi.pdf?T=9>

The outcome of consultation with staff is indicated in the attached document.

5 DATE OF NEXT MEETING

The Committee is requested to note that the next scheduled meeting will be held on 28th February 2013.

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LOCAL JOINT CONSULTATIVE COMMITTEE

Minutes of the meeting held at 6.30 pm on 5 September 2012

Present:

Employer's Side

Councillor Russell Mellor (Chairman)
Councillor Nicholas Bennett J.P.
Councillor Eric Bosshard
Councillor Ellie Harmer
Councillor William Huntington-Thresher
Councillor Mrs Anne Manning
Councillor Tony Owen

Staff Side and Departmental Representatives

Kathy Smith (Unite) (Vice-Chairman)
Adam Jenkins, Unite
Glenn Kelly, Staff Side Secretary

46 APPOINTMENT OF CHAIRMAN AND VICE-CHAIRMAN

Councillor Russell Mellor was appointed Chairman for 2012/13 and took the chair. Kathy Smith was appointed Vice-Chairman for 2012/13.

47 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillors Stephen Carr, Colin Smith (who was replaced by Councillor Mrs Anne Manning) and Diane Smith (who was replaced by Councillor Julian Benington) and from Richard Harries, Mary Odoi and Max Winters.

48 DECLARATIONS OF INTEREST

There were no declarations of interest.

49 MINUTES FROM THE PREVIOUS MEETING OF THE LOCAL JOINT CONSULTATIVE COMMITTEE HELD ON 22ND MARCH 2012

RESOLVED that the minutes of the meeting held on 22nd March 2012 be confirmed.

50 LOCALISED PAY AND CONDITIONS Report HHR12003

The Committee considered the proposals for localised pay and conditions of service which had been approved for consultation by General Purposes and Licensing Committee on 29th May 2012.

The Staff Side Secretary informed the Committee that as the Council had refused to ballot staff on the proposals he had carried out his own ballot – over 700 staff had voted against the proposals and only 7 supported them. He felt that it was a myth that national agreements prevented the Council making additional payments, and he reported that staff were concerned that there were no assurances about the annual pay round. He was sceptical that avoiding the uncertainty around the announcement of the national award by the Council setting pay each year would improve budgeting as claimed. He also rejected the idea of withholding pay awards for poor performers, as there were already procedures for dealing with performance issues, and stated that staff could be rewarded under the national agreement and did not see the need for a bonus scheme. He added that the proposals did not seem to have the support of senior managers and concluded by asking the Council to withdraw them.

The Chairman emphasised that the proposals were for consultation, no final decisions had been taken and it was the Council's intention to make pay increases if the money was available. He agreed with comments made by Councillor Arthur that the majority of Council staff were very good and would have nothing to fear from local pay awards.

Mr Kelly countered that, unlike with single status, the staff had not been given the opportunity to present their case. Staff were concerned about the lifelong attack on poor performers and mistrusted the Council's intentions. They feared that the Council would use mass sackings and re-engagement to force the proposals through. He had requested an assurance that staff would be paid at least at the level of the national agreement, but no such assurance had been given. He pointed out that a number of Councils had made the £250 award to low paid workers, so the Council's assertion that it would require a change in contracts was fundamentally untrue. He warned that a major industrial dispute would result if the proposals were not withdrawn.

The Assistant Chief Executive (HR) clarified that the £250 recommendation had come from central government, not the Local Government Employers, who had decided not to make the award, and very few Councils had actually paid the extra money. He stated that the Council could not be party to a national agreement without obeying the terms of that agreement. The Council had extended the consultation period and all comments received from staff would be reported to Councillors before a decision was made. He urged the staff side to make specific suggestions for improving the proposals which he could put to Members. He confirmed that the proposals for withholding pay increases for poor performers were not a life sentence – the intention was that performance would be improved so that the pay could be re-instated. Councillor Nicholas Bennett added to this that although there might be differences in principle that were difficult to overcome it was important that the staff side should be prepared to negotiate and propose practical changes to the system. He accepted that the timing of the change when salaries were falling behind inflation was difficult, but the Council could not just reduce pay as good staff would be lost to other employers.

The Vice-Chairman stated that there would be no negotiation with staff – there might be consultation, but the Council would still decide, whatever was said by staff. Ten other authorities in London had been able to pay the £250 to their lowest paid staff – Croydon was an example of where the money had been paid even though it remained in the national agreement. She was disappointed that the Staff Side Secretary was only given five minutes to put the staff's case, whereas Councillors could speak unchallenged. Unite was against the proposals, and staff who had not had a pay rise for three years did not trust the Council. Staff feared that they would not have the safety net of the national agreement, or any other guarantees, and would have to pay for economic problems that were not of their making.

The Staff Side Secretary stated that although he had discussions with the senior officers leading the project he had received no guarantees in writing. He repeated that not paying the £250 was a political decision, not a contractual one, and he denied that the road-shows for staff were winning anyone over. He concluded by stating that he would be happy to verify the votes cast in his ballot, without identifying individuals.

The Assistant Chief Executive, HR concluded the discussion by asking the staff representatives to continue to submit comments. He accepted that there was never an ideal time to introduce change, but he believed that this was the right thing to do. Although trust was the biggest issue, the proposals did not in themselves change the fact that the Council always had to be aware of what neighbouring authorities were paying their staff.

51 STAFF CAR PARKING AND ESSENTIAL USER CRITERIA/ALLOWANCES

The Committee received a report on the proposals for introducing car parking charges for staff and Councillors and the review of essential car user criteria. The report included summaries of the staff representations made during the two consultations, and management responses.

The Staff Side Secretary stated that there was no support from staff for the proposals and he believed that the Council had not responded to staff concerns. The proposals amounted to a £300 pay cut for some staff, and undermined trust between employer and employees at a difficult time. The Vice-Chairman added that the proposals were unfair for those staff who needed to use their cars, for example for doing school visits.

52 COUNCIL POLICY ON USE OF VOLUNTEERS

The Staff Side were concerned to ensure that volunteers were not used to replace existing public sector staff. They believed that a clear Council policy was required on the use of volunteers, and commended the agreement recently adopted by the Library Service as a template for use across the Council.

The Assistant Chief Executive (HR) confirmed that he had already agreed to meet with the Staff Side Secretary to discuss this.

53 DATE OF NEXT MEETING

It was noted that the next meeting was scheduled for 5th December 2012.

The Meeting ended at 7.37 pm

Chairman

Agenda Item 4b

PROPOSAL FOR A SHARED PARKING SERVICE WITH BEXLEY – OUTCOME OF CONSULTATION

The consultation with staff commenced on 22 October 2012 and ended on 21 November 2012 .

Meetings were held with staff representatives on 28 September, 30 October and 19 November 2012 and the proposals discussed.

Individual meetings were held with the staff on 22 October. Human Resources met personally with Parking staff on 7 November and will meet again on 21 November. A response to individuals' issues raised will be sent on completion of the consultation.

Issues/comments received from Bromley staff and Representatives during the consultation period are set out below. Bexley Council have shared the outcome of their consultation with Bromley. If the proposal for shared service is agreed the joint project board will consider the comments received across the two boroughs and these will be collectively reviewed. Where appropriate and compatible with the basis agreed by Members for the establishment of the service, any outcomes to the proposals would be fed back to staff as part of the response to consultation.

This document is dated 19th November 2012

A. General Issues	Management's Response
A.1 What is the business case to proceed with a shared service	<ul style="list-style-type: none">• There is duplication of tasks across both authorities and for example both authorities write a parking strategy and if the shared service is agreed then a joint parking strategy would be written.• There are similarities in job types and outputs because there are statutory frameworks for parking services.• Reduction in staffing and therefore savings from salaries for example, there are currently 2 Heads of Parking and the proposal is 1 post is deleted.• It is anticipated the overall savings will be in the region of £100k for Bromley.• If the joint tender for IT services is approved then there will be some savings from this.• In the longer term when the existing Enforcement Contract is tendered in the future then additional savings will be made if the contract is a joint contract
A.2 Are there an additional costs for example due to IT systems	There is work on aligning the IT systems. When the Library Shared Services work was undertaken investment to the infrastructure was made at that time. Resulting in only minimal additional cost to align the Parking Sections.

A.3 Genuine assessments of workloads to ensure they are manageable	<p>Management have undertaken an analysis of workloads received and required output per member of staff. Existing performance levels of 20-25 Challenges and/or Reps per day will be expected in the Shared Service and approx 5 PATAS cases per day.</p> <p>Other types of project work will be shared between the priorities of Bromley & Bexley as directed by the Head of Service.</p>
A.4 How do the 2 boroughs compare statistically	Bromley is larger in terms of PCNs issued, appeals received, but enforcement activity is similar.
A.5 Will there be a joint agreement	In line with the Library shared service a collaboration agreement will be drawn up setting out in more detail how the shared service will be managed, reporting line, etc.
A.6 Are there income generation targets	Existing levels of performance are expected to be achieved. This will be set out in the collaboration agreement. Any expected income budgets will be set by respective Authorities and their finance officers in accordance with their existing procedures.
A.7 What is the length of the contract	It is a permanent change with an opt-out clause for both boroughs, the detail of which will be agreed and form part of the collaboration agreement.
A.8 What is the proposed implementation date	1.4.2013
A.9 Will there be a client side	As this is a shared service this will not be necessary. There will however be a joint management board to monitor the service across both boroughs.
A.10 How are the costs being shared	<ul style="list-style-type: none"> • This is set out in 3.24 of the Committee Report. The general principle is a 50-50 share. • However for the appeals function there will be a 65.5:35.5% split as this is currently the level of work received by each borough for this function. • The cost of the ICT software is a 61:39@ split based on the saving achieved through the joint procurement.

B. HR/Change Management Issues	
B.1 Capacity issue if you delete posts and expect staff to take on more work.	<ul style="list-style-type: none"> • Management will ensure there are enough staff to deliver the core functions. The shared service will give greater flexibility to deal with peaks in either authority that could not have been handled as well on their own. • If there are peaks and or workload change over a period of time, then temporary staff will be appointed in the short term to deal with these peaks. This will be addressed in detail in the collaboration agreement.
B.2 Why the proposal is for a secondment model and not a TUPE model.	A decision was taken that the secondment arrangement had worked well in the Library Shared Service; the secondment model provides greater flexibility particularly if the service changes in the future; and it mitigates against financial liabilities.

B.3 Can the Bexley work be done at Bromley	Because in the main the work is completed electronically then the work can be carried out at Bromley. Provisions will continue for staff to work flexibly as output is measurable.
B.4 How will management decide on assimilations and who can apply for what posts	This was set out in the consultation document for staff. Management have grouped those staff on similar grades and Officers who have the required skills and experience. Staff will be required to express an interest for the position, and in some cases a competitive interview will take place.
B.5 Will there be compulsory redundancies.	It is anticipated from the information provided so far from staff that there will not be compulsory redundancies but this will be dependant on staff applying for voluntary redundancy if the proposal is agreed.
B.6 Staff Side Secretary (Glenn Kelly) would like to see the Job Descriptions/Person Specifications/JE Score Sheets	Arrangements have been made for these to be released to Glenn Kelly. The Bromley HR person on the joint board will be discussing specific issues with Glenn Kelly
B.7 Concern that Bromley staff sitting along side Bexley staff on different terms and conditions and what happens if there is a vacancy	This situation occurs in the secondment arrangements with Library shared service. The issue about what happens if a vacancy arises will be addressed if the proposal is agreed as part of the collaboration agreement.
B.8 Will contracts be issued for Bromley staff which states staff have to work in Bexley.	HR will consider this with management and depending on the needs of the service this may only apply to specific posts.
B.9 Concerns with regard the generic wording in all 4 managers "management and performance management responsibilities" could lead to officers functions not being clearly defined.	It will be the responsibility of the Head of Service to make it clear at the commencement of any project or tendering exercise who is responsible, their scope, reporting lines etc.
B.10 Wording in the job descriptions for Parking Support Officers which includes PATAS work and Bailiff work because the staff at Bexley do this work	Bromley and Bexley HR staff undertook an evaluation process for all posts in the Shared Services. The evaluation of the Parking Support Officers included the function of PATAS and Bailiff tasks. The grading given is the result of this evaluation.

C. CCTV issues	
C.1 Reviewing of a CCTV recording must be made by a qualified officer and that reviewing and storage of the images must be undertaken in a secure area.	<ul style="list-style-type: none"> The reviewing and processing of NSL's CCTV car footage will be undertaken by the shared service. Not staff currently employed by Bromley for CCTV enforcement purposes. In the 'collaboration agreement' which will be signed prior to the 1st April 2013, a statement will be made giving authority for undertaking certain work types on Bexley behalf and this will be one of them. Even though we are a shared service some differing practices will still be in place.

<p>C.2 Why is there no mention of Bromley's CCTV mobile units?</p> <p>The presentation of only 2 staff gives a false indication of levels, which could be taken as misleading.</p>	<ul style="list-style-type: none"> • The Bromley CCTV function is out of scope of the shared service proposal although staff would continue to be managed by the Parking service • The Bromley Structure chart reflects post numbers on the Bromley establishment, of which there are 2 for the purpose of CCTV Mobile enforcement. There is a budget for 2 further posts but no directly employed fte.
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D. Post Specific issues	
D.1 The JDs strongly portray a requirement for each officer/manager to have a very strong role in supporting the shared service.	The purpose of this statement (given it sits within the Customer Service - Communications and - Accessibility of Services, section), is to portray a positive image when designing leaflets, attending Residents Association meetings, communications with the public, etc.
<p>D.2 Who will be carrying out inspectors (deleted post)work, primarily site visits where it specifically needs someone to pay a visit (PCN related).</p> <p>Car park inspections</p>	<p>This will be done in the first instance by Vinci Park or NSL in the case of Bexley. Processing and Support Staff are also expected to undertake visits as and when required.</p> <p>Vinci Park currently undertakes site inspections for Bromley and provides reports. Occasional visits will be required by staff.</p>
D.3 Having read the PATAS Officer please provide further clarification on point 2.5 of the JD as to what it actually means.	2.5 is a generic statement on all staff JDs. Contracts and contract management are an essential part of Environmental Services and Parking's provision of services. This is just a reflection that you/everyone is required to 'support' managers in contract management matters. This could include keeping a record on Vinci Park's quality performance that has come to light through your PATAS work.
D.4 I will not, at the relevant time, have the Level 2 NVQ in Customer Services or equivalent as required.	This will not be an issue in terms of the selection and recruitment process, although we would expect you to seek this qualification.
D.5 I assume it is anticipated the working hours would remain more or less as they are now.	Yes, the Shared service will be able to accommodate working times from 6am to 7pm Monday to Friday.

<p>D. 6 In the Performance and Debt Recovery Manager role, it states they are “Representing the Authority at the County Court as required; Special project and multiple evaders, etc “.</p> <p>In the bailiff and Debt Recovery Officer role, it makes no mention whatsoever of representing the Authority in the County Court.</p>	<p>For matters of a more serious nature we would expect the Performance and Debt Recovery Manager to attend and represent LB Bromley/Bexley.</p> <p>We are happy to add reference to the role’s responsibility to attend court as necessary to oppose LWS etc.</p>
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