



BROMLEY CIVIC CENTRE, STOCKWELL CLOSE, BROMLEY BRI 3UH

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DATE: 19 February 2013

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 **THURSDAY 28 FEBRUARY 2013 AT 6.00 PM**

Rooms have been reserved for Members and the Staff Side to meet separately at 5.30pm before the meeting commences at 6.00pm. The Assistant Chief Executive (Human Resources) will be available from 5.30pm 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 LOCAL PAY AND CONDITIONS**

The Staff Side have requested an update on the current position.

**b MARKET TESTING**

The Staff Side request for this item is as follows: *“In light of Council plans to establish a central team to oversee this exercise across the Council, the Staff Side wish to discuss the staff involvement to ensure confidence in the process.”*

**5 DATE OF NEXT MEETING**

The Committee is requested to note that the next scheduled meeting will be held on 4th July 2013.

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# Agenda Item 3

## 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 22<sup>nd</sup> 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 29<sup>th</sup> 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.

*Local Joint Consultative Committee*  
*5 September 2012*

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 5<sup>th</sup> December 2012.

The Meeting ended at 7.37 pm

Chairman