



BROMLEY CIVIC CENTRE, STOCKWELL CLOSE, BROMLEY BRI 3UH

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DATE: 3 December 2013

To: Members of the
LOCAL JOINT CONSULTATIVE COMMITTEE

Employer's Side

Staff Side and Departmental Representatives

Councillor Russell Mellor (Chairman)
Councillor Nicholas Bennett J.P.
Councillor Eric Bosshard
Councillor Stephen Carr
Councillor Ellie Harmer
Councillor Tony Owen
Councillor Colin Smith
Councillor Diane Smith
Councillor Michael Turner

Kathy Smith, Unite (Vice-Chairman)
Richard Harries, Unite
Adam Jenkins, Unite
Glenn Kelly, Staff Side Secretary
Mary Odoi, Unite
Max Winters, Education & Care Services

A meeting of the Local Joint Consultative Committee will be held at Bromley Civic Centre on **WEDNESDAY 11 DECEMBER 2013 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 Director of Human Resources will be available from 6.00pm to brief Members.

MARK BOWEN
Director of Corporate Services

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 8TH OCTOBER 2013 (Pages 3 - 8)**
- 4 STAFF SIDE ITEMS FOR CONSIDERATION**
 - a PAY AWARD 2014/15**

The Staff Side have asked for discussion on the pay claim submitted by the unions for a £1 an hour increase and the Council's response.

Management will have held two meetings with the Staff Side week beginning 2nd December 2013 and an update will be provided on the outcome of both meetings.

b MARKET TESTING_(Pages 9 - 10)

The Director of HR and the Commissioning Programme Officer met the Staff Side on 22nd November 2013 concerning market testing, and information following the meeting is provided for this item.

The Staff Side have indicated that they would like to report back on consultations that have taken place to date.

c ZERO HOURS

Further to the debate at the last LJCC, the Staff Side would like to report on the discussions that have taken place to address their concerns on this issue.

Management will have met the Staff Side week beginning 2nd December 2013 concerning zero hours contracts and an update will be provided on the outcome.

5 DATE OF NEXT MEETING

The Committee is requested to note that the next scheduled meeting will be held on 19th March 2014.

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Agenda Item 3

LOCAL JOINT CONSULTATIVE COMMITTEE

Minutes of the meeting held at 6.00 pm on 8 October 2013

Present

Employer's Side

Councillor Eric Bosshard
Councillor Stephen Carr
Councillor Russell Mellor
Councillor Tony Owen
Councillor Colin Smith
Councillor Michael Turner

Staff Side and Departmental Representatives

Adam Jenkins, Unite
Glenn Kelly, Staff Side Secretary
Mary Odoi, Unite
Kathy Smith, Unite
Max Winters, Education & Care Services

1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies were received from Councillor Nicholas Bennett J.P. and Councillor Diane Smith.

2 APPOINTMENT OF CHAIRMAN AND VICE-CHAIRMAN

Councillor Russell Mellor was appointed Chairman of the Committee for 2013/14 with Kathy Smith of the Staff Side appointed as Vice Chairman.

3 DECLARATIONS OF INTEREST

Councillor Colin Smith declared a personal interest by virtue of his daughter being employed by the L B Bromley Library service.

4 MINUTES FROM THE PREVIOUS MEETING OF THE LOCAL JOINT CONSULTATIVE COMMITTEE HELD ON 28TH FEBRUARY 2013

The minutes were agreed.

5 STAFF SIDE ITEMS FOR CONSIDERATION

a) The Council's Commissioning Proposals

The Staff Side asked that the Committee discuss the market testing processes currently taking place in view of staff side concerns for openness and transparency and a concern that in-house services are being excluded before market testing is undertaken.

The Staff Side Secretary outlined concerns, referring to a need for best value on services. He questioned the extent of transparency with commissioning and referred to the report for Executive on the Commissioning Review of

Education Services. He suggested that prior to market testing the Council had taken a pre-determined view on in-house provision with a presumption that services would be outsourced - this before options, costings, and quality of service had been put to Members. He felt there was a lack of consultation and suggested there was no genuine assessment of in-house delivery.

Councillor Carr emphasised that no dogmatic view was being taken. No decisions would be made until soft market testing had been considered along with costs. It was not possible to take matters forward until there was clarity on what others were offering. The Director of HR highlighted a commitment to involving staff although consultation at an early stage might not be possible for some services.

Councillor Smith outlined the benefits of soft market testing to assess how services could best be delivered; and to gauge the extent of available provision to deliver services, given the budgetary saving necessary. It was possible the process could identify a way of delivering services acceptable for all - it was necessary to soft market test to be aware of what might be possible. The Staff Side Secretary indicated that soft market testing could be acceptable, provided a pre-determined view (as he saw it) was not taken beforehand.

Councillor Carr felt that soft market testing was necessary to take matters forward and nothing was being ruled out until this stage.

b) Zero Hours Contracts

Concerning the debate nationally around Zero Hours Contracts, the Staff Side asked for data on any use of such contracts at L B Bromley, including sessional and casual bank staff, and the perimeters and procedures governing their use.

The Staff Side Secretary introduced the item and the Director of HR advised that he would be happy to meet the staff side concerning the matter. There were 16 members of staff employed on zero hours contracts but there might be business reasons for doing so. Data was tabled on the number of staff employed according to the contract type under discussion. This is reproduced at **Appendix A**. The position would be monitored and there would continue to be a challenge from HR on the continued use of zero hours for the 16 staff concerned.

It was indicated that Council staff would be preferable to using high cost agency staff. It was suggested that some workers appreciated working casual hours, some favouring the flexibility. The Staff Side Secretary asserted that employees would not be happy with insecure employment arrangements. The contract types under discussion were for roles involving no peaks or troughs in workload. He asked for a breakdown of information related to the numbers employed by casual and sessional contract type.

If zero hour contracts were not used, it was suggested that the employees concerned could lose their income and existing staff would have to work more overtime.

The Staff Side Secretary felt that it would be a way forward if information was obtained as requested and the Council were to look at this. He was glad that the Director of HR had offered to talk with the staff side further on this matter.

6 DATE OF NEXT MEETING

The date of the Committee's next meeting was scheduled for 11th December 2013.

The Meeting ended at 7.05 pm

Chairman

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As at 1st October 2013

Contract Type	Headcount*
Casual	275
Sessional (Adult Education Lecturers)	199
Supply Teachers centrally based	16
Zero Hours	16
Total	506

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Agenda Item 4b

Sent: 02 December 2013 13:36

To: Kelly, Glenn; Smith, Kathleen

Cc: Hume, Marc; Obazuaye, Charles; Patterson, Doug; Sydney, Sue; Eglinton, Tammy

Subject: Follow up on Questions raised at the Meeting on Commissioning

Good Afternoon Glenn, Kathy and Nick

Thank you for meeting with us to discuss the progress of the Commissioning programme and apologies once again that Marc was unable to attend on this occasion, this was due to unforeseen circumstances outside of our control.

Following on from our meeting on Friday 22nd November where you raised a number of questions I have now had time to consult with Marc and the Commissioning Team. Please see the answers to your questions below.

1. Can you have a copy of the Liberata Framework agreement?

This is a matter for yourself and Mark Bowen to consider and is not something the Commissioning Team has control over.

2. Updates on specific services and meetings with the Commissioning Leads/Services

These meetings will happen as part of the process as and when it is appropriate to do so, and staff, unions, Dep Reps and staff side will be engaged in the process at the appropriate time. Where work is taking place as part of good business practices like researching the market there is no need for us to consult.

3. Can I send them the Project Status Document?

This document is for the use of Doug, his Directors and the commissioning team and not for general circulation. We can provide a cleansed version that lists the services currently being covered by the commissioning team; however we ran through this on Friday.

4. Can they have a copy of the Market Intelligence Paper work?

Again, we will consult and circulate paperwork as and when necessary and at the appropriate time within the process.

We will organise a quarterly meeting between Marc Hume, HR and Glenn Kelly and colleagues to improve communications and transparency, to discuss the progress of the programme as a whole. Communication with Staff and the Unions, Dep Reps and Staff Side secretary will be carried out but the relevant Director and Service managers at the appropriate time within the process for each individual review.

Many Thanks

Emma Pearce
Programme Officer

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