

LOCAL JOINT CONSULTATIVE COMMITTEE

Minutes of the meeting held at 6.30 pm on 25 October 2017

Present:

Employer's Side

Councillor Russell Mellor (Chairman)
Councillor Stephen Carr
Councillor David Cartwright QFSM
Councillor Simon Fawthrop
Councillor Keith Onslow
Councillor Angela Wilkins

Staff Side and Departmental Representatives

Duncan Bridgewater, Chief Executives
Jill Crawley, Unite
Jackie Goad, Chief Executives
Nicola Musto, Environment and Community
Services
Gill Slater, Unite Representative

62 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies were received from Councillors Kate Lymer, Nicholas Bennett and Michael Turner. Councillor Keith Onslow attended as substitute for Councillor Bennett.

Apologies were received from Kirsty Wilkinson, Claire Harris, Kathy Smith and Mandy Henry.

63 DECLARATIONS OF INTEREST

There were no declarations of interest.

64 MINUTES FROM THE PREVIOUS MEETING OF LOCAL JOINT CONSULTATIVE COMMITTEE HELD ON 20th JUNE 2017

Gill Slater referred to section 57 of the minutes relating to 20th June 2017.

The minute read as follows:

'Ms Slater expressed the view that another fundamental issue existed that had delayed the signing of the contract, aside from the pension agreement'.

It was agreed that this should be amended to read:

'Ms Slater expressed the view that the second point, or another fundamental issue existed, that had delayed the signing of the contract, not dependent upon the pension agreement'.

Subject to the implementation of this change, the minutes were agreed and signed by the Chairman as a correct record.

Post meeting note:

The June minutes were re-published with this amendment on 26th October 2017.

65 UPDATE FROM THE DEPARTMENTAL REPRESENTATIVES

The Departmental Representatives presented a document for consideration and information. The document outlined various actions that had been suggested by staff to improve the organisation, and the progress that had been made in implementing the actions.

Jackie Goad stated that there had been a good improvement in general cleaning, and that a cleaning schedule had been established. Councillor Fawthrop noted that the lighting that was previously not working in committee room 1 was now working. He suggested that this was related to the fact that he had raised this issue with Amey at the Executive and Resources PDS Committee on 11th October 2017. He felt that it was important that LBB keep on top of the Amey contract, and that Amey should be pro-active as well as re-active.

Councillor Angela Wilkins raised the issue of the recent thefts of laptops and mobile phones. Evidence seemed to suggest that the thefts had been carried out by a contractor working for Amey. The matter had been referred to the Police. She wondered if Amey had been undertaking DBS checks, and that it would be a cause of concern if this was not the case.

The Director of Human Resources assured that theft was not normally a problem in LBB, and that even in this case, it was one person who was an employee of a contractor. The Director explained that it was not always lawful to undertake DBS checks, and it would depend on the nature of the post applied for. It was unlikely that a DBS check would be required for a cleaning post in the Council, and to carry out a DBS check when not required could constitute a breach of the individual's human rights. Amey could be asked to provide clarity on the process adopted in terms of asking for references.

Councillor Keith Onslow enquired if staff had secure spaces and if there was a clear desk policy. He expressed concern that confidential papers could also be at risk. The Director of Human Resources replied that managers and staff should make a risk assessment, and that staff did not have secure lockers. He mentioned that eventually staff would be moving into new Civic Centre accommodation and that the nature of the new accommodation would need to be taken into account.

The Committee heard that the card payment machine in the canteen was now working--a minimum spend of £5.00 was required.

Duncan Bridgewater informed that smoking shelters had now been installed. Dedicated shelters had been set up in St Blaise car park and by the Council

Chamber. A communications update would follow. A minimum number of 'no smoking' signs were required.

Idverde had been asked to quote for replanting the flower bed in the courtyard of the Stockwell Building.

Nicola Musto informed that she had been continuing her work relating to well-being and mental health at work. She had presented to the heads of Human Resources and would be presenting in due course to the Departmental Representatives and the Departmental Management Team. Her aim was to raise awareness of mental health issues and to de-stigmatise.

Ms Slater approved of the work being undertaken around mental health issues, and was glad that this had been presented to Human Resources. She expressed the view that it was important for HR to understand the mental health of staff and to acknowledge the impact on the mental health of staff going through HR processes (e.g. the ill-health procedures).

66 QUESTIONS ARISING FROM REPORT DHR15005--REVIEW OF EMPLOYEE REPRESENTATION ARRANGEMENTS

The Staff Side asked two questions that were based on report number DHR 15005.

This was a report that was looked at by the General Purposes and Licensing Committee on 26th March 2016. The report was entitled 'Review of Employee Representation Arrangements', written by the HR Consultancy Manager, Tammy Eglinton.

The report outlined proposals for restructuring the employee representation arrangements within Bromley Council. The report proposed to end the current secondment arrangement of staff into staff representation roles (i.e. the trade union and the staff side secretary roles) and to review the role and structure of the Departmental Representatives' Forum.

The first question was based on section 3.10 of the report:

Question 1:

Section 3.10 of the report notes:

'It is therefore proposed that a separate consultative/engagement forum for departmental representatives and a separate consultative/negotiation meeting with the trade unions are created'.

Unite would like to request an explanation of why a commitment to the GP&LC and to staff has not been organised?

The Director of Human Resources responded that meetings were taking place with the unions to fulfill all statutory obligations. These included meetings

related to pay, TUPE, and any other meetings where a legal obligation to hold the meeting was required. Additionally, the Director was in the process of setting up a schedule of regular meetings with the Trades Union representatives on a quarterly basis which stood outside of the required statutory ones. The meetings could be about anything that the Union would like to discuss. There had been a meeting recently that had discussed pensions. Separate meetings were taking place with the Departmental Representatives.

The second question was based on section 5.3 of the report:

Question 2:

Section 5.3 of the report states:

‘Ceasing of the existing arrangements will require some funding to be set aside for staff side/trade union work, so it is proposed that the £46,060 is held centrally within the Chief Executive’s budget until officers know how much of this is required, and then the balance will be offered up as a future budget saving’.

Unite would like to ask how much of this money has been spent compensating departments for staff absences while carrying out Trade Union Duties--especially the Library Service that has had the vast majority of absences.

There appeared to be some confusion from the Staff Side as to the purpose of the £46k that had been set aside. The Director clarified that this sum was related to the former post occupied by Glenn Kelly as Staff Side Secretary. The sum had been set aside while the transition process to the new representative system was developing. The sum was retained for year 1, and then recouped in central funding as a saving.

The Staff Side had understood the sum to allow for payments to compensate departments who were affected by the need to release staff to undertake Trades Union duties, most notably the library service. The Director advised that that had not been the purpose and that it would always be for the relevant department to bear the cost of releasing staff to carry out Trades Union duties.

Councillor Wilkins asked if the amount of time taken by staff for trade union activities could be quantified, and it was confirmed that this was the case. The Director advised that there would be a pay policy report that would be going to the GP&L Committee in March 2018. Trade Union activities undertaken by staff would be calculated in the document.

67 QUESTION ARISING FROM THE MATTER OF REPRESENTATIONS DISCUSSED AT THE MEETING ON 20th JUNE 2017

Minute 60 of the meeting held on June 20th 2017 discussed the matter of 'Representations'.

In the minutes it was noted that the Staff Side had asked if a review could take place to look at the way in which the Staff Side and Departmental Representative meetings were taking place, and if there was a possibility of a joint meeting.

Whilst not passed as a formal resolution, Councillor Carr stated that the matter of a review should be given serious consideration, and that the Council should be seen to be acting in a reasonable manner.

Unite asked if there has been any progress made, or time-table set for this consideration.

The Director clarified that the Council had previously agreed to have two separate arrangements for meeting with the Trade Unions and with the Departmental Representatives. This had in effect only been in place for less than two years, taking an inception date of November 2015. The Director expressed the view that the current arrangements had been working well, and would be reviewed in about a year. The Director stated that the new arrangements had been set up as the old arrangements had not worked.

Ms Slater disagreed with the Director and expressed the view that the meetings with the Trades Unions (other than statutory / issue specific) had not been taking place and that the previous arrangements where general staff matters were discussed had worked. She felt that certain recent issues like the problem of car parking space for staff, had not been dealt with in the correct manner, and could have been dealt with by a joint forum of the Unions and the Departmental Representatives.

The Director stated that the reasons for setting up separate consultative forums had been outlined clearly in sections 3.10 and 3.12 of the report.

Ms Slater expressed the view that the dep reps system had been set up to enable the Council to put across information down rather for staff to feed up.

She felt that the Council was in a weaker position for not taking advantage of the opportunities provided by a joint discussion forum—she regarded it as a missed opportunity. She stated that the matter had not been given serious consideration as had been promised, and that the previous system, in which trades unions and Departmental Representatives met together, had not been in operation for more than two years.

Councillor Carr commented that the current system had been operative for about two years and that next year would be the best time for a review. He pointed out that the Departmental Representative system had not been set up to be top down, but had been set up to provide a helpful staff forum, not a Trade Union like forum. Serious issues like the matter raised concerning staff parking would need to be dealt with daily, and could not wait for forums. This

was not a trade union issue. Councillor Carr was keen to see a good working environment, and felt that it was always important to be thinking how we could make things better. Many of the day to day issues had to be dealt with by office managers. Councillor Fawthrop declared that LBB should avoid restrictive practices and that the convening of meetings for the sake of having meetings should be avoided.

Councillor Onslow asked if the Departmental Representatives had been consulted on the matter, and would they be for or against joint forum meetings.

Ms Slater responded that the Union did not want meetings for the sake of having them, but rather that the Departmental Representatives forum already existed they were asking not to be excluded. They could bring a different voice to the table.

The Director advised that the Departmental Representatives communicated with all staff, and that staff had an email address that could be used to communicate issues and concerns to the Departmental Representatives.

Councillor Cartwright voiced the view that line managers should manage, and that there was a danger that too many forums could undermine line management.

Ms Slater opined that there was a fundamental difference between the Trade Union representatives, and the Departmental Representatives. She stated that the Trade Union was representative of members and that the Union representatives were elected by a democratic process. She suggested that staff would feel more comfortable making their concerns known through a TU rep than through the Departmental Representatives who by contrast were appointed by - managers or were managers. The Director of HR did not agree with Ms Slater.

Councillor Fawthrop responded that the point made by Ms Slater was superfluous as not all Council employees were members of the union. He expressed the view that Trade Union representatives were not always democratically elected and that in some cases a 'closed shop' environment existed to the nomination of representatives.

Ms Slater replied that this was not the case the process was wholly democratic and that any union member could be elected.

68 DATE OF NEXT MEETING

The next meeting has been scheduled for 5th December 2017.

The Meeting ended at 7.24 pm

Local Joint Consultative Committee
25 October 2017

Chairman