

GENERAL PURPOSES AND LICENSING COMMITTEE

Minutes of the meeting held at 7.00 pm on 23 October 2012

Present:

Councillor Tony Owen (Chairman)
Councillor Russell Mellor (Vice-Chairman)
Councillors Ruth Bennett, John Canvin, Roger Charsley,
Roxhannah Fawthrop, John Getgood, Julian Grainger,
Will Harmer, Gordon Norrie, Charles Rideout,
Diane Smith, Tim Stevens and Pauline Tunnicliffe

Also Present:

Councillor Graham Arthur, Councillor Stephen Carr and
Councillor Colin Smith

47 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillor Nicholas Bennett, who was replaced by Councillor Ruth Bennett, and from Councillor Ian Payne.

48 DECLARATIONS OF INTEREST

Councillor Diane Smith declared that her daughter worked part time in the Library Service.

49 QUESTIONS FROM MEMBERS OF THE PUBLIC ATTENDING THE MEETING

No questions had been received.

50 CONFIRMATION OF MINUTES OF THE MEETING HELD ON 26TH SEPTEMBER 2012 (EXCLUDING EXEMPT ITEMS) AND MATTERS ARISING

RESOLVED that the minutes of the meeting held on 26th September 2012, including those containing exempt information, be confirmed as a correct record.

51 LOCALISED PAY AND CONDITIONS OF SERVICE Report HHR12006

At its meeting on 29th May 2012 the Committee had authorised the Assistant Chief Executive (HR) to conduct formal consultation with trade union and departmental representatives and with staff on proposals for Bromley to

withdraw from national collective bargaining arrangements and introduce localised pay and conditions for all staff with the exception of teachers. The Committee received a report summarising the consultation process and the responses received from individual members of staff, Unite, Unison and the Staff-Side Secretary.

The Chairman invited Councillor Graham Arthur, Portfolio Holder for Resources, to set out the reasons for the proposals. He emphasised that the Council had to align funding with the ability to pay, and seek value for money in all its activities. High performance should be rewarded and poor performance dealt with. He thanked staff for attending the consultation meetings and submitting responses, but he felt that the trade unions had been against the proposals from the start. The Council owed it to local taxpayers and to its own good staff to expose them to a more commercial approach and seize the opportunity to remove the restrictions of the national agreement.

The Assistant Chief Executive (HR) reported that over 900 staff had attended the consultation meetings, and he personally had attended most of these meetings. He understood the concerns that had been raised, but he did not consider that any of them undermined the principles of the proposals. Linking pay awards to performance was fundamental for any organisation. He felt that staff should not be fearful of local negotiation – indeed many terms and conditions were already local, and in practice staff would notice no difference. He considered that it was inevitable that the national bargaining arrangements would collapse at some point, and already some 46 local authorities had opted out, including Kent County Council and several other local district councils. If Members agreed the proposals, he would continue to talk to staff about the details of implementation.

The Staff Side Secretary, Glenn Kelly, addressed the Committee on behalf of the staff. He emphasised that this was a time of unprecedented uncertainty and financial pressure, so any attempt to minimise the protection currently offered by national terms and conditions would be viewed with concern by staff. Workers were currently being asked to pay for parking, while managers had previously been asked to forgo their pay award. He had asked on behalf of the staff for assurances on issues such as an award at least at the level of the national award, or at the level of inflation, or that no terms and conditions would be reduced, but there had been no response from the management on any of these issues, and no assurances had been received. He rejected the argument that local pay awards would allow greater certainty on budgets, as most Councils appeared to cope with any uncertainty about the national award. He felt that the new proposals would be divisive, offering a small bonus to a very limited group of staff but giving nothing to the majority of good staff. Despite the consultation meetings and the responses received during the consultation no changes had been made to the proposals and staff, including many managers, remained opposed – over 700 had voted against the proposals in a ballot he had conducted, with only 7 voting in support. He referred to the Chief Executive's staff road-shows, where he was informing staff about the need to make cuts of £30m, and of some Members' intentions of reducing the workforce to around 300 by outsourcing the majority of

services. He questioned why the Council was doing this if it had no intention of reducing pay or terms and conditions. He felt that if the proposals were forced through the Council would have to sack and re-engage staff and would face determined industrial action, with the public sympathising with workers rather than with the Council.

The Assistant Chief Executive (HR) countered that the proposals would have no real impact for staff and that it was not helpful to be creating fear in the workforce. The Council could have taken the opportunity to make radical changes to terms and conditions, but it was not doing so. The Council appreciated its workforce and worked hard to ensure that pay and conditions were competitive. He felt that the Council could not both belong to the national framework and then undermine it by awarding the proposed additional £250 for low-paid workers. He felt that most staff understood that there should be a link between pay and performance, and that it was right to withhold pay from the very small number of under-performing staff. Indeed, the national agreement already allowed this through the practice of withholding increments.

The Committee considered the report and the statements that had been made. Councillor John Getgood asked the Committee to listen to the staff and reject the proposals, which he felt were bad not only for staff but also for the Council and for residents. It would become harder to retain good staff, who would not be motivated by the prospect of being awarded vouchers. He considered that only a few Councils had left the national arrangements, and that it was worth waiting for the outcome of LGA proposals to improve the current negotiating mechanisms. The Assistant Chief Executive (HR) countered that changes to the annual pay negotiations had been proposed for many years, but he felt that there was little prospect of the unions and the employers coming to an agreement.

Councillor Julian Grainger stated that this was an opportunity for staff, not a threat, as they were more likely to have an influence on locally determined pay than on remote national negotiations. The vast majority of staff did a good job, and the Council needed a mechanism to reward those whose performance was exceptional. Councillor Russell Mellor added that the staff side had asked for local pay agreements for many years through the Local Joint Negotiating Committee (the Staff-Side Secretary disputed this) and he also felt that staff should have nothing to fear – on the contrary the proposals offered the chance for the Council to reward good staff.

The Staff-Side Secretary argued that the annual pay award was about matching pay to the cost of living, which every worker should be entitled to. There was already a performance management and disciplinary system which managers should be using to deal with poor performance, and there was no need to add the threat of withholding pay increases. With budget cuts threatening jobs and the greatest drop in living standards since the 1970's, workers faced the double-jeopardy of pay cuts and the prospect of the sack. The national agreement was always a minimum, to which the Council could add bonuses if it wished. The Chairman responded that the Council would

always have to offer the market rate, and would have the opportunity to pay above national rates if it left the national agreement. The Staff-Side Secretary continued that it was a myth that the national agreement prevented the Council from paying its workers more – certain groups where there were recruitment and retention issues already received additional amounts, and most of those Councils which had paid the additional £250 to their lowest paid workers were in the national agreement. Abandoning the national agreement would cause additional problems with shared services as workers would be on different terms and conditions, and Bromley risked returning to its 1980s image of being a “nasty” Council.

The Chairman invited the Assistant Chief Executive (HR) to sum up the case for moving to local terms and conditions. He understood the concerns of staff and the perceived security of the national terms and conditions, but he argued that there was nothing in the proposals to fear - Members would always have to ensure that the Council remained competitive in the jobs market. In concluding, he asked staff to continue to discuss the proposals with the Council, whatever decisions were made.

The Chairman offered the Staff Side Secretary the opportunity to conclude the debate before a vote was taken by the Committee. Mr Kelly stated that there was a clear and united message coming from staff and unions that the proposals should be rejected. During the consultation, staff had asked for guarantees, but none had been given. Suggestions had been made, but not a single change had been made to the proposals. At a time of unprecedented budget cuts it was not realistic to expect staff to believe that they would receive adequate pay awards from localised arrangements. He urged the Committee to throw out the proposals, or prepare for a battle with its staff.

RESOLVED that

(1) The issues set out in the report, and covered during the meeting, be noted.

(2) The proposals for localised pay and conditions of service be recommended to full Council for approval.

52 REPORT OF THE CONSTITUTION IMPROVEMENT WORKING GROUP

The Committee received the fourth report of the Constitution Improvement Working Group. The Working Group had examined the potential to revert to a committee system, concluding that the Council should retain the leader and executive model, and looked at area committees, although it had not made any recommendations on this subject. It had also suggested some changes to executive decision making and to enhance the role of full Council and examined the use of new technology.

Councillor Julian Grainger stated that he was disappointed that a return to the committee system was not proposed, and he was concerned about the

relaxation of the pre-decision scrutiny arrangements, particularly in relation to contracts. He did not support the proposal that major planning applications could be dealt with at full Council – he considered that it would be difficult for all sixty members of the Council to match the expertise and commitment of those who sat on Development Control Committee. He also had concerns about reducing the numbers of councillors, which would have an adverse affect on democratic oversight, and wanted to see some evidence of the costs relating to the IT proposals. This would be provided for Council.

RESOLVED that the report of the Constitution Improvement Working Group be recommended to full Council for decision.

The Meeting ended at 8.05 pm

Chairman