

LOCAL JOINT CONSULTATIVE COMMITTEE

Minutes of the meeting held at 6.30 pm on 11 December 2013

Present:

Employer's Side

Councillor Nicholas Bennett J.P.
Councillor Eric Bosshard
Councillor Ellie Harmer
Councillor Russell Mellor
Councillor Tony Owen
Councillor Colin Smith
Councillor Diane 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 for absence were received from Councillor Stephen Carr.

2 DECLARATIONS OF INTEREST

Councillors Diane Smith and Colin Smith declared a personal interest by virtue of their daughter being employed by the London Borough of Bromley Library Service.

3 MINUTES FROM THE PREVIOUS MEETING OF THE LOCAL JOINT CONSULTATIVE COMMITTEE HELD ON 8TH OCTOBER 2013

The minutes were agreed.

4 STAFF SIDE ITEMS FOR CONSIDERATION

The Vice Chairman asked the Committee to note that she had requested an item relating to health and safety in local schools be put forward to be raised at this meeting, but this had been deferred for the attention either of the Director of Environmental Services or the Health and Safety Committee. The Chairman noted that the LJCC Committee was not aware of this, and that the matter would be looked into, and if appropriate it would be raised as an agenda item for the next meeting.

A) ZERO HOURS

It was noted by the Committee that the number of staff currently on Zero Hours contracts was twenty one, and these were based in Education, Care and Health Services. It was further noted that the number of staff on casual contracts was currently five hundred and seventy three. The Staff Side were concerned that the updated figures meant that Zero Hours contracts had increased by 17% since October. The Staff Side were of the opinion that no employee of the Council should be employed on Zero Hour contracts. The Staff Side were also concerned about the use of casual contracts which they felt in some cases could be worse than Zero Hours contracts. The Staff Side stated that in many of these cases, staff were being employed in regular patterns of work and so should be employed on fixed term contracts instead. The Staff Side indicated that they were looking to initiate a debate on the matter.

The Employer's Side responded that in most cases there were valid business reasons for the use of Zero Hours contracts, but that they were not averse to debating the matter in greater depth. The Chairman stated that it was important for the Committee to understand the legal difference between Zero Hours contracts and casual contracts. This information was not available to the Committee at the meeting.

Councillor Colin Smith stated that there was a place for the use of Zero Hours contracts, but that the contracts should not be abused. Councillor Colin Smith also reiterated the point that more information was required in terms of legal matters and also in terms of cost, and that this information was not available to the Committee on this occasion. Charles Obazuaye (Assistant Chief Executive) requested that the Staff Side provide any evidence that was available concerning the possible abuse of staff on Zero Hours or casual contracts. This would be a matter that Human Resources would then investigate further.

The Chairman concluded the debate around Zero Hours contracts by requesting that the Employer's Side submit a report for the next LJCC Committee meeting, outlining the salient legal and financial matters. The Chairman requested that the Staff Side submit a report outlining the argument against Zero Hours contracts; any alleged abuses of the contracts should be included in the report. The Committee would then study and debate both reports at the next LJCC meeting to determine the way forward.

B) PAY AWARD 2014/15

The Staff Side indicated that they were seeking a £1.00 per hour pay rise for Council staff. The Staff Side stated that there had been a three year pay freeze and a two year pay limit, and so in real terms living standards had fallen by 18%. The Staff Side stated that 400,000 jobs had been lost in the last three years, and resultantly the pay bill for Bromley had decreased by ten million pounds. The Staff Side believed that Bromley Council had one hundred and five million in reserves, and that this money could be used to fund a pay rise. The Staff Side noted that thirty seven million pounds had

been set aside by the Council to invest in the Borough. A case was developed along the premise that 60% of the workforce lived in the Borough, and that it was estimated that for every £1.00 paid in wages, 50% of this money would be spent within the Borough, thus stimulating economic development locally.

The Staff Side highlighted that no offer had been made nationally by the employers, and it was hoped that the national offer would be more than Bromley Council had made via local terms and conditions. The Staff Side stated that they were likely to ballot members, and would recommend that the pay offer be rejected.

The Chairman noted that he was aware of the anticipated pay offer nationally, and that it was unlikely that this would exceed 1%. The Chairman outlined the pay award that had been offered by Bromley Council:

- Staff on less than £21,100 (FTE, spinal point 20 and below) the proposal is for a 1.7% increase in 2014
- Staff on £21,000 or more (FTE) the proposal is for a 1.2% increase
- For management grades the proposal is for a 1% increase

It was felt by the Committee that this was a good offer bearing in mind the likely offer nationally, and considering the current economic climate.

Councillor Colin Smith noted that reserves could only be used once, but that wage increases were required annually. The money that had been set aside to invest locally was also going to be invested to raise an extra 6% income for the Council, and that this may be used in part to fund future pay awards. Councillor Smith felt that the £1.00 an hour wage increase was not sustainable.

Councillor Nicholas Bennett asked the Staff Side if they had taken into account changes to income in real terms resulting from the recent increase in income tax allowances. Mr Glen Kelly from the Staff Side responded that this was a matter that could be looked into and reported back on, if required.

The Assistant Chief Executive stated that the request from the Unions was not sustainable in the current economic climate, and the Council's offer was reasonable.

Kathleen Smith (Vice Chairman) developed the argument that low wages for council employees would mean that more working council employees would have to claim housing benefit. This showed that there was a direct correlation between low wages and claims for housing benefit.

The Chairman concluded the discussion about the pay award by highlighting that society as a whole faced these problems, and reiterated the opinion of Members that the 1.7% being offered for those on the lowest end of the pay scale, was in fact a good offer. The Chairman felt that Bromley Council had shown social consideration and compassion.

Mr Glenn Kelly (Staff Side Secretary) stated that the pay increase in real terms equated to half the cost of the rise in inflation, and that the views of council staff would be clarified by a ballot.

Councillor Nicholas Bennett stated that if there was an increase in wages along the lines suggested by the Unions, then this would have to go to a public referendum as it may mean that Council Tax would have to rise by greater than 2%.

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C) MARKET TESTING

The Staff Side expressed frustration at what they perceived was a lack of transparency with regard to market testing. The Staff Side stated that they had been promised detailed discussions and access to information, but that in reality this was not occurring. The Staff Side expressed the view that they feared the concept of market testing was driven by ideology as the primary motivating force. The Staff Side gave the example of services that the Council were good at running, and felt that it would be good to explore the possibility of performing these services for other Councils, to save jobs and also to make money. In terms of meetings being held to discuss these issues, it was confirmed that the last such meeting was held on November 22nd 2013. The Vice Chairman stated that there was a need for information sharing and a closer working relationship.

Councillor Bennett stated that any change in service provider must be on the proviso that the service delivered was at least as good as, if not better than that provided previously. The Council were not entertaining poorer services. Councillor Bennett felt that it would be good in this regard if social enterprise from Council employees could be harnessed and encouraged. Councillor Bennett stated that as far as Education was concerned, existing units within the Council would be awarded the contracts if they were cost effective and provided a good service.

Councillor Colin Smith stated that the Committee was not motivated by any form of ideology. The Members' interest was in looking at every line of service for value for money. This could manifest in a variety of forms

including shared enterprise, shared services, and greater efficiencies from various sources. It was also the case that some services could be taken back in house.

Glenn Kelly stated that Council staff were not interested in Social Enterprise.

The Chairman concluded that the concerns of the Staff Side with respect to consultation and not having enough meetings would be passed on by the Committee.

5 DATE OF NEXT MEETING

The date of the next meeting was confirmed as 19th March 2014.

6 ANY OTHER BUSINESS

It was noted that Richard Harries was no longer a Co-opted member of the Committee,

The Meeting ended at 7.50 pm

Chairman