

## LOCAL JOINT CONSULTATIVE COMMITTEE

Minutes of the meeting held at 6.30 pm on 10 February 2015

### Present:

#### Employer's Side

Councillor Russell Mellor (Chairman)  
Councillor Mary Cooke  
Councillor Tony Owen  
Councillor Diane Smith  
Councillor Michael Turner  
Councillor Angela Wilkins

#### Staff Side and Departmental Representatives

Kathy Smith (Unite) (Vice-Chairman)  
Adam Jenkins, Unite  
Glenn Kelly, Staff Side Secretary  
Max Winters, Education & Care Services  
Gill Slater, Regeneration & Transformation  
Service

### **22 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**

Apologies were received from Cllrs Eric Bosshard, Keith Onslow, and Nicholas Bennett. Cllr Mary Cooke substituted for Councillor Bennett. On the Staff Side, Jill Slater substituted for Mary Odoi.

### **23 DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **24 MINUTES FROM THE PREVIOUS MEETING OF THE LOCAL JOINT CONSULTATIVE COMMITTEE HELD ON 21/10/2014**

Minutes of the meeting held on the 21/10/2014 were agreed.

### **25 MARKET TESTING UPDATE**

The Staff Side commenced by referring to a report that went to the Executive during January 2015. The Staff Side Secretary (SSS) mentioned that in this report, concerning commissioning, it had been stated that no savings had been assumed in the commissioning process to date. The SSS queried the logic of embarking on a process which had no guarantees of savings, as well as potential job losses. The Staff Side suggested that it would be a good idea for the Council to provide reassurances to staff that the Council was not ideologically driven in this matter.

The Chairman stated that it was not the case that the Council was ideologically driven, and that market testing had come about as a result of financial pressures on the Council due to cutbacks in central government funding. The Chairman remarked that the non assumption of savings referred to previously was made because it was not possible to accurately assess savings at this time.

A Member commented that in practice commissioning was focused on price, and that specifications tended to be standardised in nature. This meant that in certain cases there would be instances when demands were not being met properly.

A Member commented that it was hard not to feel that there was some form of ideological bias, and it was important to ensure that savings were being made, and that a safety net was in place if required. The Member cautioned against dismissing these concerns without proper investigation and consultation.

The SSS asserted that in the normal process of commissioning, there was a 10% saving assumed initially, but nothing after that. The SSS suggested that Members may not be properly informed of the current position, and that there may be services ready to be outsourced that they were not aware of.

A Member declared that the Council was not ideologically driven, and that there was a difference between market testing and privatisation. If the market testing was not successful, then the service would remain in house.

The Vice Chairman referenced the possible closure of Bromley Museum, and the resultant job losses if the closure went ahead. The Vice Chairman stated museum staff had expressed an interest in exploring the possibility of running the service and this had been refused. The Vice Chairman also expressed concerns about the out sourcing of the parks contract. However, a Member advised the Vice Chairman that Bromley Museum was not proposed for outsourcing or market testing. The Council was proposing to relocate and deliver the service in a different location away from the Priory.

A Member requested an investigation concerning the museum staff, and this was agreed by the Committee.

A Member expressed concern that the Council was focused on cutting staff and resources, was not looking at problems creatively, and that staff were not being supported sufficiently. There was also a concern that decisions were being made too quickly, before looking for alternatives.

**RESOLVED that the Committee be updated in due course after issues concerning the Bromley Museum Staff were investigated.**

## **26 PAY AWARD--2015-2016**

The Chairman responded to a query raised by the Staff Side Secretary as to the inclusion of this item on to the Agenda to which the Chairman replied that he requested it bearing in mind that an offer had been made to the Staff Side on the 15<sup>th</sup> January and considered it appropriate that we ask for response in the interests of openness and transparency. It was agreed by the Committee that the matter be discussed at the GP&L meeting that would follow upon the rising of the LJCC Committee.

## **27 TIME OFF FOR TRADE UNION DUTIES**

The SSS stated that the proposal to end the funding for the two full time trade unions posts could not have come at a worse time in the Council's history, a time of transformation, redundancies and restructuring. The SSS stated that the trade union representation in the Council had been this way for the last forty years, and that this was the best way to meet the Council's legal obligations. The SSS asserted that Bromley Council had the lowest level of trade union facility in the whole of London.

The SSS argued that all statutory duties would remain and that it was not practical or viable to introduce the changes at this time, and that indeed it would result in problems for the Council. The Staff Side expressed the view that the impression that was being given was that of a deliberate attempt to silence the trade union voice. The SSS cited the example of Barnet Council which had previously embarked on the same course, but then had to backtrack because of the problems that had resulted.

The Staff Side hoped that now could be the commencement of a process of consultation, and not that the decision had already been made. The SSS advised the Committee that a more detailed report on this matter had been provided to Human Resources.

The Director of Human Resources explained that no formal decision had been taken, and that the matter would be considered at a future meeting of the GP&L that was going to take place later that evening. The Director of Human Resources advised the Committee that although it was the case that legal obligations would remain, they could be delivered differently. It would be the decision of Members if the proposals were passed or rejected. It was wrong to give the impression that the Council were withdrawing trade union facilities.

A Member asked what would happen to the trade union representatives if the motion was passed. The Director of Human Resources responded that the current trade union representatives would go back into their normal jobs, and would be allowed "reasonable" time off for trade union activities, on the condition that such activities did not impact on their day job. It was also the case that not all organisations had paid trade union representatives.

A Member stated that it was difficult to see how such an arrangement could not impact on a worker's normal job functions.

The Vice Chairman expressed the view that the changes were foolish because less experienced representatives would take more time to deal with trade union issues, and that it would cause management problems in terms of planning and allocating work.

The Chairman concluded by stating that the issues would be investigated and that proper transparency and consultation would take place.

**28 CAR ALLOWANCE SCHEME**

The SSS expressed the view that the Council had broken promises to staff in considering changes to the Car Allowance Scheme, and that the proposals would make Bromley less attractive to potential new recruits. The Staff Side contended that the proposals were in effect an attack on wages. The SSS informed the Committee that casual users would lose 5p per mile, and that the proposals had caused anger amongst staff.

The Chairman stated that HMRC guidelines stated that 45p per mile was the recommended rate for car users, and that this was what the Council would be seeking to implement if the proposals were agreed.

**29 PROCUREMENT ISSUES**

It was agreed that this item be deferred and that a Special Meeting may need to be convened to discuss this matter when legal and technical expertise could be made available.

**30 DATE OF NEXT MEETING**

The date of the next scheduled meeting of the LJCC would take place on the 31st March 2015.

The Meeting ended at 7.30 pm

Chairman