

LOCAL JOINT CONSULTATIVE COMMITTEE

Minutes of the meeting held at 6.00 pm on 20 June 2017

Present:

Councillor Russell Mellor (Chairman)

Councillor Stephen Carr

Councillor David Cartwright QFSM

Councillor Simon Fawthrop

Councillor William Huntington-Thresher

Councillor Kate Lymer

Councillor Michael Turner

Jill Crawley, Unite

Jackie Goad, Chief Executives

Nicola Musto, Environment and Community

Services

Gill Slater, Unite Representative

Kathy Smith, Unite

53 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies were received from Councillor Nicholas Bennett.

Councillor William Huntington Thresher acted as Alternate.

Apologies were also received from Kirsty Wilkinson, Mandy Henry and Kelle Akala.

Apologies were also received from Cllr Ian F Payne and Councillor Angela Wilkins.

54 DECLARATIONS OF INTEREST

There were no declarations of interest.

55 MINUTES FROM THE PREVIOUS MEETING OF THE LOCAL JOINT CONSULTATIVE COMMITTEE HELD ON 23RD FEBRUARY 2017

The Vice Chairman referred to the comments that she had made at the previous meeting relating to the sickness procedure and to the resolution pertaining to the preparation of a report outlining deficiencies in the procedure. She stated that her comments were not meant to be an attack on the sickness procedure, but that she wanted to highlight that in certain circumstances she felt that the convening of sickness meetings were not appropriate or the best use of time and resources. She expressed the view that she had not had sufficient time to prepare a report.

It was agreed that the minutes could be signed as a correct record.

RESOLVED that the minutes be agreed as a correct record.

56 UPDATE FROM DEPARTMENTAL REPRESENTATIVES

The update from the Departmental Representatives was given by Jackie Goad.

A document had been provided by the Departmental Representatives, which was in colour and rag rated. The document updated the Committee concerning the progress made with the implementation of various improvements and actions that had been requested.

The Committee was pleased with the positive outcomes achieved by the Departmental Representatives.

Unite asked if they could be kept informed of any issues outlined in the report that were not addressed. Ms Slater asked for clarification of timescales where work was in progress.

The matter of the provision of funding for professional fees was raised. The Director of Human Resources explained that not all courses would be able to be funded. It would need to be clarified if the course in question was relevant to the work of the Council, and linked to Building a Better Bromley. It would have to be decided if any course under consideration could be funded by the Apprenticeship Levy. LBB had been funded with a statutory levy of £350k. There would be some scope to support exiting staff in addition to providing funding for apprenticeships.

Councillor David Cartwright noted that some professional qualifications were tax allowable.

The report was noted and the Chairman thanked the Departmental Representatives for all of their hard work.

57 COMMISSIONING

The Staff Side had asked the following question:

'In an update to the LJCC, the Director of Commissioning had previously stated that the delay in the implementation of the Cushman and Wakefield contract was because clarification had been required concerning the final pension agreement.'

The Staff Side allege that in a meeting with the Director of Culture, Renewal and Recreation and an Amey representative, it was stated that the delay in signing the contract was not related to pensions, but that there were additional problems that were not pension related.

The Staff Side are seeking clarification around what they perceive as statements that are conflicting.'

A written answer had been tabled from the Director of Commissioning:

'The issue was two-fold – but both issues were related to pensions.

1) Cushman and Wakefield thought that they had Admitted Body status to the LGPS, but late in the day they found out that they did not – specifically to make payments into Bromley Pensions.

The delay was primarily a procedural one of getting Cushman and Wakefield Admitted Body status from LGPS--which was obtained relatively quickly but took over a month. Consequently the decision was made to start Cushman and Wakefield on 1st December rather than mid-month.

2) Cushman and Wakefield also required a Bond, and as an American owned company this had to be approved by the American Board.'

The Staff Side expressed appreciation for the information that had been provided. Ms Slater commented that it would have been helpful to have received more information and clarity concerning the issue of the American Bond. The Vice Chairman wondered if all contracts required some sort of bond. Ms Slater expressed the view that another fundamental issue existed that had delayed the signing of the contract, aside from the pension agreement. She stated that TUPE processes should be clear and understandable. The Director of HR concurred with this.

The Chairman asked if there were any more issues that needed to be directed to the Director of Commissioning—there were none and so the matter was closed.

The Staff Side had asked a secondary question as follows:

'The Staff Side would like to request the publication of the full review of the Idverde contract.'

The Vice Chairman stated that she did not wish the commissioning questions to be heard by the Environment PDS Committee. She expressed the view that the matter was more suited to the LJCC, as it was a better forum for debate. She also commented that any dialogue with the Director of Environment and the Chairman of the Environment PDS Committee was welcome. The Chairman of the Environment PDS Committee (Councillor William Huntington Thresher) informed that at the next meeting of the Environment PDS Committee, members would be looking at annual reports on contracts, and that much of the information that the Staff Side were seeking may be detailed in the reports.

The Chairman explained to the Staff Side the process that they should follow in submitting questions to any PDS Committee. Councillor Huntington Thresher encouraged the Staff Side to submit questions to the PDS

Committee, and assured that the PDS would be very interested to receive the questions.

RESOLVED that any issues relating to contract monitoring and to the Idverde contract be referred to the Environment PDS Committee.

58 RISK REGISTER

The previous suggestion from Councillor Simon Fawthrop that the Staff Side be informed when the Risk Register was going to be an agenda item on PDS meetings was noted.

It was further noted that the Staff Side had recently been informed that the Public Protection Portfolio Risk Register would be an agenda item at the next meeting of the Public Protection and Safety PDS Committee on June 29th. The Portfolio Holder for Public Protection and Safety looked forward to Staff Side representatives attending the meeting.

RESOLVED that the Staff Side be informed going forward of any PDS meetings where the Risk Register would appear as an agenda item, and that the clerk email all democratic services officers to this effect.

59 AUDIT CONTROLS (2016) REPORT

The Staff Side asked why the Audit Controls (2016) Report was only published on the Intranet, and not on the Internet.

A written answer had been prepared by the Head of Internal Audit which stated:

‘The Audit Controls report was a slide presentation of 16 slides lasting about 30 minutes explaining the purpose, type of recommendations made and key findings with examples. The purpose was to promote awareness of audit issues without the need for a question and answer session and is available to all staff. The decision during discussions with management was to put it on the Learning Hub of One Bromley.’

The answer from the Head of Audit was noted.

60 REPRESENTATIONS

The Staff Side had asked that consideration be given to Staff Side representation at the meetings of the Departmental Representatives. They expressed the view that they had been deliberately excluded from meetings with the Departmental Representatives, and this now meant that the only forum that they had for discussion was the LJCC. They asserted that when the Staff Side and Departmental Representatives had previously met together, the meetings were harmonious and good natured.

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

The Director of HR commented that when a review of meeting arrangements had taken place in 2015, the Unions were consulted. He felt that the current arrangements were working well and were approved by Members. He added that separate meetings are also arranged with the unions without the departmental representatives. He gave examples of meetings with the unions without the departmental representatives. The Council Leader (Councillor Carr) stated the matter of a review should be given serious consideration and that the Council should be seen to be acting in a reasonable manner.

The Vice Chairman pointed out to the Committee that according to best practice guidelines from ACAS, a person (on the first occasion) should be able to get the representative of his/her choice if that request was reasonable. In response, the Director of HR said that Bromley Council has a very good representation arrangement which allows employees to be accompanied and represented by a person of their choice including a trade union representative, a departmental rep, a work colleague or a friend or family member. The Director of HR stated that he may be able to factor in a quarterly meeting with the Unions; the Vice Chairman responded that the Union would be glad to accept the offer of a regular meeting.

Ms Slater closed by informing that a review had not taken place for 2.5 years. She hoped that going forward, joint meetings could be arranged which would mean that in the future, not all Staff Side concerns would need to be raised at the LJCC.

Although the matter of a review was discussed, it was not passed as a formal resolution.

61 DATE OF NEXT MEETING

The date of the next meeting was confirmed as 10th October 2017.

The Meeting ended at 7.15 pm

Chairman