

## LOCAL JOINT CONSULTATIVE COMMITTEE

Minutes of the meeting held at 6.30 pm on 9 January 2019

### Present:

#### Employer's Side

#### Staff Side and Departmental Representatives

Councillor Russell Mellor (Chairman)

Gill Slater, (Vice Chairman)

Councillor Nicholas Bennett J.P.

Alice Atabong, Education, Care and Health Services (Housing)

Councillor Simon Fawthrop

Thomas Carver, CEX

Councillor Josh King

Gill Slater, Vice Chairman

Councillor Kate Lymer

Matthew Smallwood-Conway, Environment and Community Services (Leisure and Culture)

Councillor Robert Mcilveen

Councillor Colin Smith

Councillor Michael Turner

Kathy Smith (Unite)

Sally Tsoukaris (Unison)

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

Apologies for absence were received from Jackie Goad, Duncan Bridgewater, and Ade Suleiman.

Apologies were also received from Councillor David Cartwright and Councillor Robert Mcilveen attended as alternate.

### **8 DECLARATIONS OF INTEREST**

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

*Note:*

*Whilst it was resolved by majority that the minutes be agreed and signed, the Vice Chairman had advised that there was a section of the minutes dealing with the ACAS well-being survey that she did not agree with.*

### **9 THE ALIGNMENT OF BROMLEY'S DISCIPLINARY PROCEDURES WITH ACAS GUIDELINES**

The Staff Side asked the following question:

*'Unite would like to discuss the alignment of Bromley's disciplinary procedures with ACAS guidelines:*

*Given the acknowledged need for amendment, Unite suggest that the LJCC recommend to the General Purposes and Licencing Committee, that the ACAS guidelines be used in the interim, until or unless robust, locally agreed procedures are adopted'.*

Charles Obazuaye (Director of Human Resources) stated that there was nothing wrong with LBB's disciplinary procedures, and no fault had ever been found in them by an Employment Tribunal. Indeed, the Council had never lost an individual Tribunal case relating to unfair dismissal claims. Resultantly, the Director took the view that the matter was not a priority, but he had promised previously that he would look at the matter early in the New Year. In view of this, he expressed surprise that the matter was being raised at the meeting.

Ms Slater responded that the matter was regarded as a priority by the Unions who were currently representing staff, because the unions felt that they had to fight both the individual case as well as the associated procedures, which (in her view) were unnecessarily adversarial; Ms Slater referenced the link to staff mental health and wellbeing resulting from the process. She was not suggesting that the current Council policies were illegal which might result in the Council being criticised at an Employment Tribunal, but that rather the procedures were out of date, (not being changed since 1992), fell short of best practice and did not equate to procedures that could be expected from a 'Dream Organisation'. She expressed the view that this had been accepted by Human Resources. She stated that in view of this, it would not be unreasonable for the Council to adopt the ACAS guidelines in the interim.

The Leader stated that the current procedures had served the Council well since 1992 without causing any problems. He therefore moved that no further action be taken. The proposal was seconded and the matter was closed.

## **10 THE WELLBEING SURVEY BEING UNDERTAKEN BY ACAS.**

The Staff Side had asked for a discussion to take place concerning the Wellbeing Survey that had been undertaken by ACAS. They wanted to know if they could be involved in its development.

The Director of HR expressed surprise that the matter was being raised at the LJCC. He advised that he had previously met with the Unions to discuss the survey and had promised that it would be looked at in the new financial year.

Ms Slater asserted that there had been no meetings to discuss the issue since the previous meeting of the LJCC. She said that although the matter had been raised at the LJCC meeting in July, it had been some time since the Committee had met and that therefore it was not inappropriate for the matter to be raised again.

Kathy Smith (Unite) stated that as far as the Unions were concerned, the discussion that the Director had referred to around the well-being survey had not taken place, and she asked for a copy of the minutes to be provided. The

Director assured that a copy of the minutes would be provided. The Director mentioned that email correspondence had also taken place concerning the matter. Ms Slater remarked that the email correspondence related to a different issue.

Ms Slater stated that a previous unminuted discussion about the nature of the survey as a 'staff wellbeing survey' had taken place, where the Director of HR had confirmed that there would be an ACAS 'wellbeing survey' likely to reflect the experience Cllr King was familiar with in relation to such surveys. The Director of HR said that it was not specifically a 'wellbeing survey' but was a 'staff engagement survey' which was more broadly based.

Councillor Fawthrop suggested that the Unions be allowed to submit additional questions that could be considered for incorporation into the survey. The Director agreed that additional questions could be added to the survey as required.

Councillor King asked when the survey was going to take place. He also asked for clarification as to the nature of the survey—was it a well-being survey or not? The Director replied that it was a 'staff engagement survey'. However, it was possible to add additional questions to the survey which could be related to well-being.

The Director drew attention to the sterling work that had been undertaken by Nicola Musto around mental health issues. The work had been carried out with the support of the Council and Ms Musto continued to raise awareness of mental health issues.

Ms Smith referenced a previous survey that had been undertaken by the Departmental Representatives concerning what was required to transform Bromley into a 'Dream Organisation'. She said that it was her understanding that only 12 responses to the survey had been received. She stated that the survey should have the 'right' questions incorporated, along with relevant engagement from staff and unions. The survey should make a difference to people's lives and should not be undertaken just as a formal exercise.

The Leader noted the excellent work undertaken by Ms Musto and provided clarification on the '12' responses that had been mentioned by Ms Smith. He said that the number '12' was not the total number of responses that had been received; it was the number of Departmental Representatives that had sent in responses on behalf of their Departments. The Director of HR confirmed that this was the case.

Sally Tsoukaris said that the survey should be a meaningful exercise, and that was why the unions were seeking to be involved. She asked if a draft of the proposed questions could be provided to the unions. This would avoid duplication. Councillor Nicholas Bennett supported this.

**RESOLVED** that LBB's draft survey questions are disseminated to the Staff Side in due course to streamline the process and to avoid duplication.

## **11 THE TRANSFORMATION BOARD**

Unite had submitted the following statement for consideration:

*'Unite would like to request a briefing in relation to the 'Transformation Board' and ask that there be elected staff representation on the Board.'*

Councillor Fawthrop asked if the unions had misunderstood the nature of the Transformation Board. He said that in effect the Transformation Board was replacing the Commissioning Board which was currently suspended. The purpose of the Transformation Board was that it was an officer board that had been set up to look at Transformation.

The Director confirmed the comment made by Cllr Fawthrop and advised that it was not a Board where it was relevant or appropriate to have staff representation on it at this point. They may be a time in the future when this could change.

Ms Slater asked how the agenda for the Transformation Board would be communicated to staff. The Director responded that arrangements for this would be made at the appropriate time—the Interim Chief Executive would need to be satisfied that the correct transformation strategy had been formulated first.

## **12 DATE OF NEXT MEETING**

In the LBB calendar of meetings, the next meeting had been scheduled for 21st February. Members felt that this was too soon after the meeting that had just taken place and so it was agreed that the Committee meet next in April.

**RESOLVED** that the meeting scheduled for 21<sup>st</sup> February be cancelled, and the LJCC meet again in April.

*Post meeting note:*

*It has been agreed that the LJCC will meet next on 24<sup>th</sup> April 2019.*

The meeting ended at 7.15 pm

Chairman