

JOINT CONSULTATIVE FORUM

At a Meeting of the Joint Consultative Forum held in Meeting Room 3, Council Offices, Garshake Road, Dumbarton on Thursday, 31 March 2005 at 2.00 p.m.

Present: Provost Alistair Macdonald and Councillors Margaret Bootland and Gail Casey; Margaret Ferris, Tom Dick, Joanne Geddes, Tom Morrison and Tom Rainey (UNISON); Jackie McMonagle (AMICUS); Neil Casey and Charlie McDonald (T&GWU); Mick Conroy and Duncan Borland (GMB); and Stewart Paterson (EIS).

Attending: Tricia O'Neill, Head of Personnel Services; David Logan, Principal Solicitor and Shona Barton, Administrative Assistant.

Apologies: Apologies for absence were intimated on behalf of Councillors Jim Bolland and Margaret McGregor, Alex McEwan and Norman Bissell.

Margaret Ferris in the Chair

CHAIR'S REMARKS

5637 Before commencing with the business of the meeting the Chair, Margaret Ferris, expressed the sadness of the Trades Unions following the sudden death of Councillor Jack Duffy in January 2005.

MINUTES OF PREVIOUS MEETING

5638 The Minutes of Meeting of the Joint Consultative Forum (JCF) held on 2 December 2004, were submitted and approved as a correct record.

5639 In relation to a point raised by Mr. Morrison regarding discipline and grievance appeals, the Forum noted:-

- (1) that there were concerns that appeals against disciplinary proceedings, with the exception of final written warnings, suspension and dismissal, could not progress further than departmental level; and
- (2) that a report detailing the figures for discipline and grievance appeals at departmental level would be submitted to the next meeting of the Forum.

- 5640 In relation to a point raised by Mr. Rainey, regarding the item headed “The Employment of Temporary, Casual, Sessional and Occasional workers”, it was noted that it was a draft of the policy statement which had been noted at the last meeting of the Forum held on 2 December 2005.
- 5641 In relation to a point raised by Mr. Morrison, it was noted that at the meeting held on 2 December 2004 there had been a request for the Minutes of the Corporate Health and Safety Joint Consultative Committee to be submitted to the Forum for information. It was agreed that these minutes would be submitted to the next meeting of the Forum.

TRADE UNION RECOGNITION AND FACILITIES AGREEMENT

- 5642 With reference to the Minutes of Meeting of the JCF held on 2 December 2004 (page 1300, paragraph 4441 refers), a report was submitted by the Head of Personnel Services seeking feedback from the Forum on the proposed Trades Union Facilities Agreement which underpins the key legislative requirements and promotes positive employee relations practices.
- 5643 After discussion, and having heard Mr. Rainey who provided further information on the concerns which have been raised by the Trades Unions, the Forum agreed that this matter be continued until the next meeting of the Forum to allow the Trades Unions to meet with the Head of Personnel in order that any concerns could be addressed.

SCHEME OF DELEGATED FUNCTIONS - INSURANCE

- 5644 With reference to the Minutes of Meeting of the JCF held on 2 December 2004 (page 1300, paragraph 4444 refers), Ms. O'Neill provided an update on this matter.
- 5645 Following discussion and having heard Ms. O'Neill, the Forum agreed that this matter would be continued to a future meeting of the Forum to allow for further consultation to take place between the Trades Unions and management to enable a satisfactory policy to be agreed.

COSLA INDUSTRIAL RELATIONS CIRCULAR 3/04 – MCCRONE AGREEMENT

- 5646 With reference to the Minutes of Meeting of the JCF held on 2 December 2004 (page 1300, paragraph 4446 refers), there was submitted for information a memo from the Director of Education and Cultural Services which provided clarification on the current position with regards to support posts within Secondary Schools.

- 5647 The Forum noted the contents of the memo from the Director of Education and Cultural Services, but noted that there were still concerns over the structure in relation to administrative, clerical and support posts in Secondary schools.

LEISURE CATERING SERVICES

- 5648 With reference to the Minutes of Meeting of the JCF held on 2 December 2004 (page 1301, paragraph 4450 refers), a briefing report was submitted by the Section Head, Facilities Management providing an update on the position regarding Leisure Catering Services at the Play Drome and Meadow sports centres.
- 5649 After discussion, the Forum agreed that this matter would be continued until the next meeting of the Forum and that a representative from Housing and Technical Services would be invited to attend the meeting to provide clarification on the issues raised. It was also noted that the tender exercise for the provision of outside catering had recently been completed.
- 5650 In relation to a point raised by Mr. Conroy, the Forum noted that the Trades Unions had concerns regarding the provision of Council catering and that it was hoped that it would continue to be dealt with using the in-house provision.

PROTECTION OF CHILDREN (SCOTLAND) ACT (2003)

- 5651 A report was submitted by the Head of Personnel Services informing of the introduction of the Protection of Children (Scotland) Act (2003) and advising of the necessary revisions to existing Personnel Policies and Procedures.
- 5652 The Forum heard Ms. O'Neill who provided an overview of the legislation and highlighted some of the areas that may have implications for the Council. It was noted that a working group had been formed by the Council to take these issues forward, and that information sessions on the implications of the Act would be arranged for departments in due course.
- 5653 In relation to a point raised by Mr. Rainey regarding the possible changes to contracts and/or terms and conditions of employment, the Forum noted that any changes would only be implemented after full consultation with the Trades Unions.

HEALTH PROMOTION

- 5654 A report was submitted by the Head of Personnel Services advising that West Dunbartonshire Council is officially registered for working towards attaining the Scotland Health at Work Award (SHAW) 2005 and seeking a nomination from the JCF to participate in the SHAW Steering Group.

- 5655 Having heard Ms. O'Neill in further explanation, the Forum agreed to nominate Mr. Charlie McDonald, Craft and Manual Workers Convener, to participate in the SHAW Steering Group.

SICKNESS ABSENCE STATISTICS – QUARTER 3 (2004/2005)

- 5656 There was submitted and noted a report by the Head of Personnel Services advising on the levels of employee absence during the 3 month period from 1 October to 31 December 2004.
- 5657 In relation to a point raised by Ms. Ferris, the Forum agreed that a report providing further information on the statistics relating to psychological disorders should be provided at a future meeting of the Forum.

COSLA STAFFING WATCH SURVEY

- 5658 A report was submitted by the Head of Personnel Services informing on the size of the Council's workforce as at 11 December 2004.
- 5659 After discussion, the Forum noted the contents of the report.

MINUTES OF DEPARTMENTAL JOINT CONSULTATIVE COMMITTEES

- 5660 A report was submitted by the Head of Personnel Services providing copies of the Minutes from Departmental Joint Consultative Committee meetings and Departmental Health and Safety meetings.
- 5661 The Forum noted the contents of the report.

TRADES UNION ISSUES

Equal pay audits

- 5662 Ms. McMonagle asked whether the Council had conducted an equal pay audit, or if there was an intention to conduct such an audit.
- 5663 Ms. O'Neill advised that equal pay would be one of the areas addressed as part of Single Status. The Forum agreed that this issue should be raised further at the next meeting of the Single Status working group.

Information and Consultation regulations

- 5664 Mr. Morrison asked if there were plans to introduce a Council policy to cover the introduction of new regulations on information and consultation. Having heard Ms. O'Neill in further explanation, the Forum noted that there was already a policy in place relating to the Freedom of Information (Scotland) Act and that this had already been distributed to all employees. It was noted that the Information and Consultation Regulations would be a matter for further discussion with the Trades Unions.

Workload Management Schemes

- 5665 Mr. Morrison asked for clarification on the use of workload management schemes within the Council, and referred to a particular incident which had been raised by a member of UNISON. Having heard Ms. O'Neill in further explanation, the Forum agreed:-
- (1) to note that there were no plans for the introduction of a Council wide policy relating to workload management schemes;
 - (2) that information on the specific case referred to by Mr. Morrison should be passed to the Head of Personnel Services to enable further investigation to be undertaken; and
 - (3) that the Trade Unions would have further discussion on this matter and would raise it at a future meeting of the Forum.

Information on payslips

- 5666 Mr. McDonald asked for clarification on the information which was given on employee payslips. In response to a situation which had arisen with cleaning staff where there was a lack of clarity over pay, it was agreed that Ms. O'Neill would contact the payroll section to see if more detail on key pay items such as hours worked, overtime and unsocial hours could be shown on payslips.

Retrospective pay settlement

- 5667 Mr. Rainey advised the Forum that there were concerns that staff who had left the employment of the Council had not received money due to them as a result of the retrospective pay settlement.
- 5668 The Forum agreed to seek an assurance from the Finance department that this would not happen in the future.

Early Retiral packages

- 5669 Mr. Rainey advised that there were concerns over the way early retiral packages are dealt with and highlighted the recommendations in the Audit Scotland report "Bye now, Pay later". The Forum noted that there should be a fair and transparent system to deal with this issue, and it was agreed that this item would be raised at a future meeting of the Forum.

Social Work Personnel

- 5670 Mr. Rainey asked for clarification on the position regarding a vacancy for a Senior Personnel Officer within Social Work. After discussion and having heard Ms. O'Neill in further explanation the Forum agreed to note:-
- (1) that it was the intention of the department to advertise the post both internally and externally;
 - (2) the concerns of the Trades Unions in relation to the recruitment policy of the Council; and
 - (3) that the Council does not have a policy on secondment.

STANDING ITEMS FOR DISCUSSION

- 5671 After discussion and having heard Ms. O'Neill, the Forum agreed to note the current position of the standing items of business, namely Best Value, Single Status, McCrone Recommendations and Training and Development.
- 5672 In particular, the following standing items were discussed:-

Appeals Committee Hearings

- 5673 The Forum heard Mr. Logan who provided an update on this matter. It was noted that at present there were 3 disciplinary appeals and 4 grievance appeals outstanding. It was noted that of the 3 disciplinary appeals outstanding, 1 could not be arranged since the appellant was unwell, 1 had been withdrawn and confirmation of this was awaited and 1 had been arranged to take place on 5 April 2005. Mr. Logan also advised that since the meeting of the JCF on 2 December 2004, 1 new grievance and 2 new disciplinary appeals had been submitted; 2 grievance appeals had been heard; 1 disciplinary appeal had been withdrawn and 1 grievance appeal had been withdrawn.

Budget Planning

- 5674 Having heard Mr. Patterson, the Forum noted that the Devolved Management of Resources (DMR) budget in schools had been reduced by 1%.

Health and Safety

5675 In relation to a point raised by Mr. Morrison relating to an incident which had been detailed in the Minutes of the Social Work Services Health and Safety Committee, the Forum agreed:-

- (1) that this matter should be referred to the Health and Safety Joint Consultative Committee for further discussion; and
- (2) that copies of the Council grievance and disciplinary procedures should be circulated to the Members of the Forum for their information.

DATE OF NEXT MEETING

5676 It was agreed that the next meeting of the Forum would be held on Thursday, 16 June 2005 at 2.00 p.m. in Meeting Room 3, Council Offices, Garshake Road, Dumbarton with a pre-meeting involving the trades unions representatives only, taking place at 11.00 a.m. the same day.

The meeting closed at 4.18 p.m.