

## JOINT CONSULTATIVE FORUM

At a Meeting of the Joint Consultative Forum held in Meeting Room 3, Council Offices, Garshake Road, Dumbarton on Thursday, 25 May 2006 at 2.00 p.m.

**Present:** Councillors Margaret Bootland and Gail Casey; Tom Dick, Tom Morrison, Tom Rainey (UNISON); Jackaleen McMonagle (AMICUS); Charlie McDonald, Neil Casey and Gerry Kane (T&GWU); Duncan Borland (GMB); John Kennedy (UCATT) and Stewart Paterson (EIS).

**Attending:** Tricia O'Neill, Head of Personnel Services; Andrea Gibson, Section Head (Personnel Operations); Alan Douglas, Manager of Best Value and Special Projects; Lorraine Coyne, Manager of Audit and Nuala Borthwick, Administrative Assistant.

**Apologies:** Apologies for absence were intimated on behalf of Provost Alistair Macdonald, Councillor Margaret McGregor, Margaret Ferris, Kath Ryall, Alex McEwan, Mick Conroy, Ronnie Bissett, Brian Courtney and Peter O'Donnell.

### Councillor Margaret Bootland in the Chair

#### MINUTES OF PREVIOUS MEETING

- 9139 The Minutes of Meeting of the Joint Consultative Forum (JCF) held on 9 March 2006, were submitted and approved as a correct record.
- 9140 In relation to a request by Mr Rainey that an electronic copy of minutes be sent to Trade Union Members, it was noted that electronic copies of all council minutes were available on the Council's intranet site and website and that the Clerk would email Members when minutes were available.
- 9141 In relation to a point raised by Mr Morrison concerning the item 'Employment Policy – No Smoking', the Forum noted that Ms O'Neill would write to all Directors to investigate actions taken so far in relation to the Council's 'No Smoking Policy' and that a report on this matter would be submitted to the next meeting.

### **REVISED CAR & CYCLE ALLOWANCE SCHEME**

- 9142 With reference to the Minutes of Meeting of the Forum held on 9 March 2006 (page 2296, paragraph 8512 refers), a report was submitted by the Head of Personnel Services providing clarification on when the current Scheme of Travelling and Subsistence Allowances was agreed, which incorporates the Car and Cycle Allowance Scheme.
- 9143 After discussion and having heard Ms O'Neill in further explanation and in answer to Members' questions, the Forum agreed:-
- (1) to note that the Joint Trade Union Conveners would meet with Ms O'Neill to discuss the current Scheme of Travelling and Subsistence Allowances;
  - (2) that Corporate Personnel should issue a bulletin to employees, managers and trades unions to ensure that everyone is fully aware of the contents of the Scheme; and
  - (3) that a further report on the issue of staff providing VAT receipts for Travel and Subsistence Allowances be submitted to the next meeting of the Forum.

### **ADJOURNMENT**

- 9144 After hearing the Chair, Councillor Bootland, the Forum agreed to a short adjournment. The meeting was adjourned at 2.35 pm and reconvened at 2.45 pm with all those on the sederent being present.

### **TRAWL FOR EARLY RETIREMENT/SEVERANCE**

- 9145 With reference to the Minutes of Meeting of the Forum held on 9 March 2006 (Page 2297, paragraph 8514 refers), a report was submitted by the Head of Personnel Services providing a written response to the concerns raised in relation to variances between the Social Work trawl and the Council wide severance/early retirement trawl.
- 9146 After discussion and having heard Ms O'Neill in further explanation and in answer to Members questions, the Forum agreed that the role of Management and the role of the Trade Unions in the consultation process required to be discussed further.

## **DATA PROTECTION AND COUNCIL TAX ARREARS**

- 9147 With reference to the Minutes of Meeting of the Forum held on 9 March 2006 (Page 2298, paragraph 8527 refers), a report was submitted by the Head of Personnel Services providing information on the decision to pursue the recovery of Council Tax Arrears from employees and the Council's position in terms of the Data Protection Act 1998.
- 9148 Following discussion the Forum agreed to note the contents of the report.

## **RACE RELATIONS (AMENDMENT) ACT EMPLOYEE MONITORING DUTY AND REVISED NOTICE OF GRIEVANCE APPEAL**

- 9149 A report was submitted by the Head of Personnel Services advising of the revisions to recruitment and grievance/discipline forms to ensure that the Council meets the employment duty of the Race Relations Act as amended, and advising of the revised Notification of Grievance Appeal Form.
- 9150 Following discussion the Forum agreed:-
- (1) to note the revisions to the forms;
  - (2) that Ms Gibson would investigate current arrangements for teachers in relation to monitoring forms for grievance; and
  - (3) that the date would be inserted on forms to assist with version control.

## **DISCIPLINE & GRIEVANCE INFORMATION**

- 9151 A report was submitted by the Head of Personnel Services providing information on the figures for discipline and grievance appeals at Departmental level for the period 1 October 2005 – 31 March 2006.
- 9152 The Forum heard from Mr Douglas who provided an update on this matter.
- 9153 It was noted that since the JCF on 9 March 2006 there had been 2 Grievance Appeals heard, 1 Grievance Appeal had been withdrawn, 1 new Disciplinary Appeal had been submitted, 2 new Grievance Appeals had been submitted and 2 Disciplinary Appeals had been heard. It was further noted that at present there were 8 Grievance Appeals and 1 Disciplinary Appeal outstanding.
- 9154 In relation to a point raised by Mr Morrison it was noted that Ms O'Neill would investigate a complaint by Mr Morrison regarding the procedure used in relation to a particular grievance.
- 9155 Following discussion, the Forum agreed to note the contents of the report.

### **SICKNESS ABSENCE STATISTICS – QUARTER 4 AND ANNUAL RETURN**

- 9156 A report was submitted by the Head of Personnel Services advising on the levels of employee absence during the 3 month period 1 January 2006 to 31 March 2006 and Annual Absence Statistics.
- 9157 Having heard Ms O'Neill in further explanation the Forum agreed to note the contents of the report.

### **MINUTES OF DEPARTMENTAL JOINT CONSULTATIVE COMMITTEES (JCCs) DEPARTMENTAL HEALTH AND SAFETY MEETINGS AND CORPORATE SAFETY COMMITTEE**

- 9158 A report was submitted by the Head of Personnel providing Minutes from departmental Joint Consultative Committee (JCC) meetings, departmental Health & Safety meetings and Corporate Safety Committee.
- 9159 The Forum agreed to note the contents of the report.

### **TRADE UNION ISSUES**

- (a) The following items were considered at the request of Unison:-

(i) **Disciplinary Procedure**

- 9160 Trade Union concerns over employees being advised of their rights to representation particularly within the special investigatory procedures.
- 9161 Having heard the Manager of Audit in clarification of the rights to representation particularly within the special investigatory procedures, it was agreed:-
- (1) that further discussions were required between the Trade Unions, Personnel and Internal Audit to provide greater clarity on an employee's right to representation during investigations surrounding business irregularity; and
  - (2) that the issue be raised with the Chief Auditors Group to provide more clarity on an employee's right to representation during an Audit Investigation and reported back to a future meeting.

(ii) **Length of time Management taking to deal with early stages of Grievance Procedures**

9162 It was agreed that this item had been dealt with under the heading 'Discipline & Grievance Information'.

(iii) **Follow up of Redundancy and Redeployment Policies**

9163 Following discussion, the Forum noted that the follow up of Redundancy and Redeployment Policies were a priority for Management.

(iv) **Management's role in recruitment of Members to Trade Unions**

9164 After hearing Mr Morrison, the Forum noted that Trade Unions and Ms O'Neill would discuss ways to enable all unions to be provided with an equal opportunity to recruit new members.

(v) **Should the Maximising Attendance Policy be applied so vigorously in cases of Domestic Violence?**

9165 After hearing Mr Rainey and Mr McDonald, the Forum agreed:-

- (1) to note the concerns of trade unions that victims of domestic abuse should be treated sensitively in the application of the Maximising Attendance Policy; and
- (2) that the issue of domestic abuse would be considered by management within the process of recording attendance levels within the Council.

(b) The EIS had requested that the following be considered:-

(i) **Issue of inspection of documents in relation to car users.**

9166 After hearing Mr Paterson, the Forum agreed that the issue would be discussed at the next meeting.

### **STANDING ITEMS OF BUSINESS**

9167 The Forum agreed to note the current position on the following:-

- (i) Appeals Committee Hearings
- (ii) McCrone Recommendations
- (iii) Absence
- (iv) Health and Safety

**Best Value**

- 9168 In relation to a point raised by Mr Casey regarding the monitoring of outside contractors, Mr Douglas advised that the department issuing contracts would have responsibility to monitor a contract through the mechanisms provided within the contract e.g. spot checks.

**Budget Planning**

- 9169 In relation to a point raised by Mr Casey regarding the impact of budget planning on Health and Safety, Ms O'Neill advised that the query would be referred to the Council's Corporate Health and Safety Section.

**Single Status**

- 9170 In relation to a point raised by Mr Rainey regarding the allocation of resources for the implementation of Single Status and having heard Ms O'Neill in further explanation, the Forum agreed to note the concerns of the Trade Unions in relation to the allocation of resources for the implementation of Single Status.

**Training and Development**

- 9171 After hearing Mr Casey, the Forum noted that Ms O'Neill would look at alternative ways of providing information currently only provided electronically via the website and intranet sites to employees who have no access to computers.

**DATE OF NEXT MEETING**

- 9172 It was agreed that the next meeting of the Forum would be held on Thursday, 31 August 2006 with a pre-meeting involving the trades unions representatives only, taking place at 11.00 a.m. the same day.

The meeting closed at 4.27 p.m.