

JOINT CONSULTATIVE FORUM

At a Meeting of the Joint Consultative Forum held in Meeting Room 3, Council Offices, Garshake Road, Dumbarton on Thursday, 31 August 2006 at 2.00 p.m.

Present: Provost Alistair Macdonald and Councillor Anthony Devine; Tom Morrison, Tom Rainey and Tom Dick (UNISON); Jackaleen McMonagle (AMICUS); Neil Casey, Brian Courtney and Donald McDougall (T&GWU); Duncan Borland and Mick Conroy (GMB), Alex McEwan (SSTA) and Stewart Paterson (EIS).

Attending: * Tricia O'Neill, Head of Personnel Services; Francine Ewen, Personnel Manager; Linda McAllister, Personnel Officer; Denise McLafferty, Personnel Officer; Alan Douglas, Manager of Best Value and Special Projects; Lara McLaughlan, Solicitor and Nuala Borthwick, Administrative Assistant.

Apologies: Apologies for absence were intimated on behalf of Councillors Margaret Bootland, Margaret McGregor and Gail Casey; Kath Ryall, Peter O'Donnell, Margaret Ferris, Charlie MacDonald, Joanne Geddis and Norrie Bissell.

* Arrived later in the meeting.

APPOINTMENT OF CHAIR

9851 Due to the resignation of Councillor Bootland as Chair of the Joint Consultative Committee (JCF), Mr Douglas requested that a Chair be appointed from the Management Side of the Forum. Provost Macdonald nominated Councillor Devine as Chair of the Forum. There being no other nominations, it was agreed that Councillor Devine be appointed as Chair of the Forum and Councillor Devine assumed the Chair. Councillor Devine explained that his convenership of Corporate Services included that of Personnel Services as of the Council Meeting held on 30 August 2006.

MINUTES OF PREVIOUS MEETING

9852 The Minutes of Meeting of the JCF held on 25 May 2006, were submitted and approved as a correct record subject to an amendment to the item 'Best Value' to include that UNISON had not been invited to attend a meeting to discuss contracts in relation to Best Value.

- 9853 In relation to a point raised by Mr Morrison concerning the item 'Disciplinary Procedures', it was noted that there should be full disclosure of all relevant and available facts in relation to the special investigatory procedure. It was further noted that if facts are not disclosed then legal reasons for non-disclosure must be provided to Trades Unions.
- 9854 In relation to a point raised by Mr Donaldson concerning the item 'Best Value' it was noted that contracts are run at departmental level.

ACTIVITY ON WHISTLEBLOWING HOTLINE

- 9855 In terms of remit from the Meeting of the Audit and Performance Review Committee held on 21 June 2006 (Page 2514, Paragraph 9321 refers), an excerpt minute together with a report by the Chief Executive was submitted advising on the level of activity on the whistleblowing hotline since its launch on 6 March 2006.
- 9856 Following discussion and having heard Ms McLafferty in answer to Members' questions, it was agreed:-
- (1) that Ms McLafferty would raise the question of malicious complaints with Internal Audit and advise the Union side if there were any concerns in this respect; and
 - (2) that a further report on the issue of whistleblowing be submitted to a future meeting of the Forum in 6 months' time.

NO SMOKING POLICY

- 9857 With reference to the Minutes of Meeting of the Forum held on 25 May 2006 (Page 2471, Paragraph 9141 refers), a report was submitted by the Head of Personnel Services providing information on the actions taken so far by Directors to minimise the effects of passive smoking on employees whilst working directly with clients/client groups.
- 9858 Following discussion, it was agreed:-
- (1) that no council employee would be forced to work in a smoke filled environment against their will;
 - (2) that issues regarding smoking in care homes be raised directly with the appropriate line management within the Department of Social Work Services;
 - (3) that an information article on minimising the effects of passive smoking on employees be prepared for the public for publication in the next edition of the Council newspaper 'The News'; and

- (4) that a review of the No Smoking Policy be undertaken and the findings presented to a future JCF meeting.

EMPLOYEE MILEAGE EXPENSES – VAT FUEL RECEIPTS

9859 With reference to the Minutes of Meeting of the Forum held on 25 May 2006 (Page 2472, Paragraph 9143 refers), a report was submitted by the Head of Personnel Services providing information on the issue of employees providing VAT fuel receipts for Travel and Subsistence Allowances.

9860 Following discussion and having heard Mrs McAllister in further explanation of the report, the Forum agreed:-

- (1) that Corporate Personnel would investigate whether a claim would be refused if submitted without a VAT fuel receipt and report back to the Union Side; and
- (2) otherwise that the contents of the report be noted.

Note: Ms O'Neill entered the meeting at this point in the proceedings.

TRADES UNION RECRUITMENT

9861 With reference to the Minutes of Meeting of the Forum held on 25 May 2006 (Page 2475, Paragraph 9164 refers), a report was submitted by the Head of Personnel Services providing information on enabling Trades Unions to have an equal opportunity to recruit new members.

9862 Following discussion and having heard the Head of Personnel Services, the Forum agreed:-

- (1) that the Head of Personnel would contact Employee Development to facilitate a specific 30 minute slot for the joint trades unions in the Induction Training of new employees of the Council in order to recruit new members;
- (2) that Trades Unions provide nominations for attendance at Front Page training in order to facilitate a Trade Union section on the Council's Intranet site; and
- (3) that the joint Trades Unions provide the necessary contact information in order that a joint Trades Union leaflet can be issued with the Contract of Employment.

MINUTES OF DEPARTMENTAL JOINT CONSULTATIVE COMMITTEES AND HEALTH AND SAFETY MEETINGS

- 9863 A report was submitted by the Head of Personnel Services providing Minutes from departmental Joint Consultative Committee (JCC) meetings and the Corporate Health and Safety Committee.
- 9864 Having heard Mr Casey it was noted that the Social Work Joint Consultative Committee Minutes from 9 June 2006 were not included with the other minutes.
- 9865 The Forum agreed to note the contents of the report.

CHRISTMAS AND NEW YEAR PAYS

- 9866 The Head of Personnel provided a verbal report advising on the proposed intentions to alter pay frequency and amounts for the Christmas & New Year period 2006/07.
- 9867 Having heard Ms O'Neill it was noted that weekly pays for weeks 38, 39 and 40 would be paid 2 weeks in advance on 21 December 2006 and fortnightly pays for week 40 would be paid 2 weeks in advance on 21 December 2006.
- 9868 Ms O'Neill advised that the proposed dates would be issued to shop stewards in each department.

INSPECTION OF DOCUMENTS IN RELATION TO CAR USERS

- 9869 With reference to the Minutes of Meeting of the Forum held on 25 May 2006 (Page 2475, Paragraph 9166 refers), it was agreed that the issue of inspection of documents in relation to car users would be discussed.
- 9870 After hearing Mr Patterson and following discussion, the Forum agreed that Ms O'Neill would investigate the requirement to record penalty points on expense claim forms and the possibility of amending the form if there is no requirement for the penalty points to be recorded.

TRADES UNION ISSUES

- 9871 The following items were considered at the request of the Trades Unions:-

Parking Restrictions

- 9872 Mr Morrison raised the issue of the new parking restrictions in Dumbarton Town Centre and the impact of the restriction on Visiting Officers in Social Work Services and Housing Services who bring their cars to work in order to make home visits.

- 9873 Following discussion, it was agreed that Corporate Personnel would write to Managers in Social Work Services and Housing Services to investigate the number of employees affected by the parking restrictions and the possibility of providing passes to employees affected.

Operation of the Regrading Panel

- 9874 After hearing Mr Morrison in relation to a particular regrading appeal which was upheld, the Forum agreed:-

- (1) that Ms O'Neill would look at the appeal in question; and
- (2) to note that the Trades Unions were unhappy that the outcome of the particular appeal was being reconsidered after determination in the appellant's favour.

Job Analyst – Payment

- 9875 Having heard Mr Borland the Forum agreed to note that a report on resources in relation to the Job Analysts would be submitted to a future meeting of the Corporate Management Team.

Lack of Cleaners in Council Buildings

- 9876 Mr Courtney was heard in relation to the adverse effect of the job freeze on cleaning posts throughout the Council which meant that 38 posts had not been filled and in relation to a reported corresponding change in the cleaning specification.
- 9877 Following discussion it was agreed that management would write to relevant managers to clarify the position in relation to the change to the standard cleaning specification and request that a written contract be agreed.

Leisure and Catering – Play Drome Leisure

- 9878 Mr Conroy raised the concerns of the Trade Unions in relation to the withdrawal of catering service at the Play Drome in Clydebank by a private company.
- 9879 Following discussion, the Forum agreed:-
- (1) to note the concerns of the Trade Unions in relation to the non-provision of catering; and
 - (2) to note the trade union position that any service provided in-house should be provided by West Dunbartonshire Council Catering Services.

Superannuation – Joining and Leaving Details

- 9880 In relation to a point raised by Ms McMonagle regarding Joiners and Leavers from the Superannuation Scheme, Mrs McAllister confirmed that details in relation to missing joiners and leavers forms had been received from the Strathclyde Pension Fund Office. This information had been circulated to Departmental Personnel Sections with a request that they complete and return missing forms to Corporate Personnel who would collate the information and return it to the Strathclyde Pension Fund Office.

Collective Bargaining

- 9881 Mr Morrison raised the concerns of the Trade Unions in relation to a recent decision of an Employment Tribunal which went in favour of the Council.
- 9882 Following discussion, the Forum agreed that a report on the ruling of the case be submitted to the next meeting of the Forum and that the Trade Union side be requested to detail their concerns regarding collective bargaining in relation to the case.

Note: Provost Macdonald left the meeting at this point.

QUORUM FOR MEETING

- 9883 Following Provost Macdonald's departure it was noted that the meeting was inquorate and that whilst the remaining items of business could be discussed, no decisions could be taken thereon.

STANDING ITEMS OF BUSINESS

- 9884 The Forum agreed to note the current position on the following:-
- (i) Best Value
 - (ii) Budget Planning
 - (iii) Single Status
 - (iv) McCrone Recommendations
 - (v) Absence
 - (vi) Training and Development

Appeals Committee Hearings

- 9885 The Forum heard from Mr Douglas who provided an update on this matter. It was noted that since the JCF meeting on 25 May 2006 there had been 2 Grievance Appeals part-heard, 1 Grievance Appeal had been withdrawn, 2 new Dismissal Appeals had been submitted and 2 new Grievance Appeals had been submitted. It was further noted that at present there were 9 Grievance Appeals and 3 Dismissal Appeals outstanding.
- 9886 In relation to a point raised by Mr Conroy regarding the change in membership of the Appeals Committee in relation to part-heard appeals, it was noted that this matter would be considered and addressed appropriately through the appeals procedure.

Health and Safety

- 9887 After hearing Mr Casey, the Forum noted that Ms O'Neill would refer the issue of the non-attendance of Departmental Health and Safety Co-ordinators at the Health and Safety JCCs to the Corporate Health and Safety Committee.

NATIONAL FRAUD INITIATIVE– DATA MATCHING EXERCISE

- 9888 The Head of Personnel provided a verbal report on actions required by the Council to meet the requirements of the National Fraud Initiative Data Matching Exercise.
- 9889 The Forum agreed to note the position in relation to the exercise and that Ms O'Neill would provide appropriate paperwork to union representatives in each department.

DATE OF NEXT MEETING

- 9890 It was agreed that the next meeting of the Forum would be held on Thursday, 30 November 2006 with a pre-meeting involving the Trade Union representatives only, taking place at 11.00 am on the same day.

The meeting closed at 4.20 p.m.