

JOINT CONSULTATIVE FORUM

At a Meeting of the Joint Consultative Forum held in Meeting Room 3, Council Offices, Garshake Road, Dumbarton on Thursday, 23 June 2011 at 2.05 p.m.

Present: Councillors George Black, Jim Finn, David McBride and Lawrence O'Neill; Stewart Paterson (EIS); Duncan Borland and Martin Doran (GMB); Alex McEwan (SSTA); John Kennedy (UCATT); Denise McLafferty and Tracey Dalling (UNISON); and Charlie McDonald, Jackaleen McMonagle and James O'Connell (UNITE).

Attending: Terry Lanagan, Executive Director of Educational Services; Elaine Melrose, Executive Director of Housing, Environmental and Economic Development; Joyce White, Executive Director of Corporate Services; Anne Marie Cosh, Human Resources Business Partner; Tracy Keenan, Lead Human Resources Adviser – Policy and Employee Relations; Melissa Connor, Human Resources Adviser; Sally Michael, Principal Solicitor; and Scott Kelly, Committee Officer, Legal, Administrative and Regulatory Services.

Apologies: Apologies for absence were submitted on behalf of Councillors Jonathan McColl, Jim McElhill and John Millar; John Wagner (GMB); Karen Dunlop, Margaret Ferris and Tom Morrison (UNISON); and Tricia O'Neill, Head of Human Resources and Organisational Development.

Councillor George Black in the Chair

CHAIR'S REMARKS

Before commencing with the business of the meeting, Councillor Black, Chair, welcomed all those present and in particular those who were attending the Forum for the first time.

DECLARATIONS OF INTEREST

It was noted that there were no declarations of interest from Members on any items of business on the agenda.

MINUTES OF PREVIOUS MEETING

The Minutes of Meeting of the JCF held on 24 March 2011 were for submitted for approval as a correct record.

After hearing Councillor Black, Chair, it was noted that the final page of the Minutes had not been included in the papers which had been circulated to members. Thereafter, there was submitted (tabled) the missing page of the Minutes and the Minutes were approved as a correct record.

In relation to a point raised by Ms McLafferty under the heading 'Standing Items of Business' concerning Clyde Valley Shared Services (Pages 3552/53 refer), and after hearing Councillor Black, Chair, the Forum agreed that this matter would be discussed later in the meeting when 'Standing Items of Business' were being considered.

Having heard Councillor Black, Chair, in relation to a point raised under the heading 'Minutes of Previous Meeting' (Page 3546 refers), the Forum agreed to note that Council had not yet completed its deliberations in respect of the procedural matters relating to the referral of grievances to the Appeals Committee.

In relation to a point raised by Ms McLafferty under the heading 'Standing Items of Business' concerning Single Status (Page 3553 refers), the Forum agreed (i) to note that the Trades Unions would be meeting with the Executive Director of Corporate Services soon to discuss outstanding matters in respect of the Appeals Process in relation to Job Evaluation; and (ii) that these matters should also be discussed at a future meeting of the Forum.

DISCIPLINE AND GRIEVANCE INFORMATION

A report was submitted by the Head of Human Resources and Organisational Development providing information on disciplinary and grievance matters dealt with at Departmental and Appeals Committee level during the Quarter 4 (2010/2011) covering the period 1 January to 31 March 2011.

After discussion and having heard the Executive Director of Corporate Services in answer to members' questions, the Forum agreed:-

- (1) to note the concerns expressed by Trades Unions representatives and elected members with respect to the number of grievances which have been outstanding for a significant length of time;
- (2) that the Executive Director of Corporate Services and the Human Resources Section should give consideration to prioritising and resolving the outstanding grievances described in (1) above as soon as possible; and
- (3) otherwise to note the contents of the report.

SICKNESS ABSENCE REPORTING - QUARTER 4 (2010/2011)

A report was submitted by the Head of Human Resources and Organisational Development advising on the levels of employee sickness absence for the fourth Quarter 2010/2011 (January, February and March 2011) and annually (1 April 2010 to 31 March 2011).

Following discussion and having heard the Executive Director of Corporate Services and the Lead Human Resources Adviser – Policy and Employee Relations in further explanation and in answer to members' questions, the Forum agreed:-

- (1) to note that the statistics which related to absences due to stress had been derived from the self-certificated sickness absence forms completed by employees;
- (2) to note that it was difficult to determine whether stress was work-related or the result of issues in an employee's personal life and that the statistics did not differentiate between the different causes of stress;
- (3) to note that the Member/Officer Absence Working Group was presently conducting a detailed analysis and review of all areas relating to absence and would make recommendations on programmes of activity to support and maintain improved performance, including the implementation of revised policies and procedures; and
- (4) otherwise to note the contents of the report.

MINUTES OF DEPARTMENTAL JOINT CONSULTATIVE COMMITTEES, DEPARTMENTAL HEALTH AND SAFETY MEETINGS AND EMPLOYEE LIAISON GROUP

A report was submitted by the Head of Human Resources and Organisational Development providing the minutes from Departmental Joint Consultative Committees (JCCs), Health and Safety meetings and Employee Liaison Group (ELG) meetings for the period from 24 March to 23 June 2011 including any outstanding minutes from the previous reporting period.

Having heard the Executive Director of Corporate Services and the Executive Director of Educational Services, the Forum agreed:-

- (1) to note that the meeting of the Corporate Services Joint Consultative Committee which had been inquorate on 19 April 2011 had been rescheduled and had recently taken place;
- (2) to note that a meeting of the Educational Services Health & Safety Committee had recently taken place; and
- (3) otherwise to note the contents of the report, and the appendices referred to therein.

RETIREMENT PROCESS AND THE REMOVAL OF THE DEFAULT RETIREMENT AGE (DRA)

A report was submitted by the Head of Human Resources and Organisational Development providing an update on the removal of the Default Retirement Age (DRA) and outlining the changes to the Council's retirement process.

After discussion and having heard relevant officers in further explanation and in answer to members' questions, the Forum agreed:-

- (1) to note the concerns expressed by Mr McDonald in respect of the application of the Council's retirement procedures for employees whose 65th birthday would fall shortly before the removal of the Default Retirement Age (DRA) on 1 October 2011;
- (2) to note the concerns expressed by Mr McDonald that some Council employees who would be retiring soon had not received the required six months' notification of their retirement from the Council;
- (3) to note that all of the instances described in (2) above were presently being considered by officers of the Council;
- (4) to note that matters relating to the dismissal of employees on the grounds of capability would be considered by the Employee Liaison Group (ELG);
- (5) that if agreement on the matters described in (4) above could not be reached by the ELG, those matters would be considered at a future meeting of the Forum; and
- (6) to note the action taken by the Council in relation to the removal of the DRA of 65 from 1 October 2011, including the updating of current policies and the development of a capability procedure for managing performance.

ADDITIONAL PATERNITY LEAVE REGULATIONS 2010

A report was submitted by the Head of Human Resources and Organisational Development:-

- (a) providing an update on the Additional Paternity Leave Regulations 2010 which came into effect for employees with babies due or matched for adoption on or after 3 April 2011; and
- (b) advising of the impact of the legislative change which gives parents greater flexibility for both parents to share the leave entitlements.

Having heard the Lead Human Resources Adviser – Policy and Employee Relations in further explanation and in answer to a member's question, the Forum agreed to note the contents of the report and the actions being taken to ensure compliance with legislation.

TRADES UNIONS ISSUES

Collective Bargaining

The Forum heard from Ms McLafferty who expressed concern at the lack of understanding of collective bargaining by some managers who were carrying out departmental restructures which were affecting the terms and conditions of employees.

Having heard the Executive Director of Housing, Environmental and Economic Development and the Executive Director of Educational Services in response, the Forum agreed:-

- (1) to note that the Trades Unions had not notified the Executive Directors of any specific concerns which they had in relation to collective bargaining and departmental restructuring, and that the Trades Unions should report any specific concerns which they had to the Executive Directors; and
- (2) that the Trades Unions should notify the Corporate Management Team of their general concerns in relation to this matter.

Excess Travel Costs

The Forum heard from Ms McLafferty who explained that different rates of expenses were paid for employees' day-to-day travel and subsistence claims and for excess travel claims, and proposed that a single policy in relation to travel expenses be created with a single expenses rate.

Having heard the Executive Director of Corporate Services in response, the Forum agreed:-

- (1) to note that this matter would be considered by the Employee Liaison Group (ELG); and
- (2) that if the matter could not be resolved by the ELG then it should be considered at a future meeting of the Forum.

Pay Claim

The Forum heard from Mr Paterson who confirmed that teaching staff would not receive a pay increase for the next two years.

The Forum then heard from Ms McLafferty who referred to the current pay deal for Council employees and expressed concern for those employees whose pay was in detriment as a result of the implementation of Single Status.

Thereafter, the Forum discussed matters relating to the current pay deal.

The Forum agreed:-

- (1) to note the concerns expressed by the Trades Unions; and
- (2) otherwise to note the terms of the discussion.

Note: Councillor McBride left the meeting at this point.

STANDING ITEMS OF BUSINESS

The Forum gave consideration to future Standing Items of Business for meetings of the Joint Consultative Forum.

Councillor Black, Chair, made reference to an article which had appeared in that day's edition of The Herald newspaper which related to Shared Services.

Thereafter, the Forum gave consideration to matters relating to Shared Services.

After lengthy discussion and having heard Councillor Black, Chair, and the Executive Director of Corporate Services, the Forum agreed:-

- (1) that Shared Services should be a Standing Item of Business for future meetings of the Forum;
- (2) to note that Shared Services had been the subject of discussion at the Employee Liaison Group (ELG);
- (3) to note that an email would be sent to all Council employees that afternoon clarifying the position with respect to Shared Services;
- (4) to note that a report detailing the options which have been developed as a result of the Clyde Valley services review would be considered at the August 2011 meeting of Council;
- (5) to note the concerns expressed by the Trades Unions in respect of Shared Services; and
- (6) to note that Trades Unions stewards would be granted reasonable time off from their work in order to attend to matters relevant to Shared Services.

CHAIR'S REMARKS

With respect to the position of Chair of the Forum, and having heard Councillor Black, Chair, the Forum agreed to note that, as the Minutes of the Meeting of the Forum held on 24 March 2011 (Page 3545 refers) had been ratified by Council at its meeting on 25 May 2011 (Page 3666 refers), it had been confirmed that Councillor Black should remain as Chair of the Forum for the next year.

The meeting closed at 3.40 p.m.