

## JOINT CONSULTATIVE FORUM

At a Meeting of the Joint Consultative Forum held in Meeting Room 3, Council Offices, Garshake Road, Dumbarton on Thursday, 26 June 2008 at 2.00 p.m.

**Present:** Councillors George Black, Jim Finn, David McBride and John Miller; Margaret Ferris, Denise McLafferty, Tom Morrison and Angela Nicoll (UNISON); Jackaleen McMonagle (AMICUS); George McEwan (UNITE AMICUS); Brian Courtney and Gerry Kane (UNITE); Duncan Borland, Donald Hamilton and Mick Conroy (GMB); John Kennedy (UCATT) and Stewart Paterson (EIS).

**Attending:** Joyce White, Executive Director of Corporate Services; Bill Clark, Executive Director of Social Work and Health; Angela Terry, Manager of Organisational Development; Alan Douglas, Manager of Legal Services and Nuala Borthwick, Committee Officer.

**Apologies:** Apologies for absence were submitted on behalf of Councillors Margaret Bootland, Jim McElhill and Ronnie McColl and Neil Casey, Alex McEwan, Kath Ryall, Tom Dick, Donald Munro, Isabel Paterson and Charlie McDonald.

**Margaret Ferris, Vice-Chair in the Chair**

### MINUTES OF PREVIOUS MEETING

The Minutes of Meeting of the Joint Consultative Forum (JCF) held on 20 March 2008 were submitted and approved as a correct record.

In relation to a point raised under the heading "Use of a Compromise Agreement when Ending Employee/Employer Relationship", the Forum heard from the Manager of Legal Services who advised that a report had yet to be considered by Council on this matter. Having heard the Executive Director of Corporate Services, it was agreed:-

- (1) that a report on the matter be submitted to the next meeting of the Corporate and Efficient Governance Committee; and
- (2) that the Executive Director of Corporate Services would raise the matter at the next meeting of the Corporate Management Team.

In relation to a point raised by Mr Morrison under the heading 'Trade Union Issues – Travelling Expenses', the Forum noted that a short life working group would be established by the end of July 2008 to investigate the rates paid to staff and Elected

Members who use their own transport for Council business and that the Trades Unions would send details of the Trade Union representatives for the Working Group to the Interim Human Resources Manager.

### **ANNUAL LEAVE ENTITLEMENT FOR EMPLOYEES ON SICKNESS ABSENCE**

With reference to the Minutes of Meeting of the JCF held on 20 March 2008 (Pages 955/956 refer), the Forum was reminded that it had been agreed to continue consideration of a report by the Head of Human Resources and Organisational Development on this matter until the next meeting to allow for further discussion to take place between management and the Trades Unions.

The Manager of Organisational Development provided an update on the situation concerning annual leave entitlement for employees on sickness absence. Having heard the Manager of Organisational Development, it was noted that a working group had been established to look at annual leave as a whole and not just in relation to sickness absence. It was noted that the Trades Unions side would provide details of representation for the Working Group to the Interim Human Resources Manager.

### **DISCIPLINE AND GRIEVANCE INFORMATION**

A report was submitted by the Head of Human Resources and Organisational Development providing figures for discipline and grievance appeals held at departmental level (Stage 2) for the period from 1 January 2008 to 31 May 2008.

The Forum heard from the Manager of Legal Services who provided an update on Appeals Committee hearings.

The Forum noted that since the JCF on 20 March 2008, 1 dismissal appeal had been heard, 1 grievance appeal had been heard, 1 grievance appeal had been part-heard, 3 dismissal appeals had been submitted and 1 grievance appeal had been submitted. It was further noted that there were 3 dismissal appeals and 15 grievance appeals outstanding.

The Forum noted that it was the intention to have at least two appeals heard every month until the backlog was cleared. It was further noted that since the JCF held on 20 March 2008, four scheduled meetings of the Appeals Committee had been postponed, two at the request of the appellant or his/her representative; one due to the unavailability of an essential management witness; and one due to unavailability of sufficient Members of the Committee.

In relation to a point raised by Ms. McLafferty, the Forum noted that there were concerns that a dismissal had not been recorded by a department and were seeking assurances that all departments record this information. The Forum agreed to note the position.

In relation to a question from Councillor Black concerning the number of Stage 2 Hearings held within 15 working days, it was noted that the Manager of Organisational Development would provide a management information bulletin to remind managers of the timescales involved during the Appeals process to ensure timescales were met by all departments.

#### **SICKNESS ABSENCE STATISTICS QUARTER 4 (JANUARY 2008 – MARCH 2008) AND ANNUAL RETURN 2007/2008**

A report was submitted by the Head of Human Resources and Organisational Development providing information on the levels of employee absence during the 3 month period from 1 January 2008 to 31 March 2008 and providing annualised statistical information.

Having heard the Executive Director of Corporate Services in further explanation of the report and in answer to Members' questions, the Forum agreed to note the contents of the report.

#### **MINUTES OF DEPARTMENTAL JOINT CONSULTATIVE COMMITTEES AND DEPARTMENTAL HEALTH & SAFETY MEETINGS**

A report was submitted by the Head of Human Resources and Organisational Development providing the Minutes from Departmental Joint Consultative Committees (JCC's) and Health and Safety meetings for the period from 1 January 2008 until 31 May 2008.

The Forum agreed to note the contents of the report.

In relation to a point raised by Ms McMonagle, it was noted that the Education JCC had now met and it was anticipated that there would now be a future programme of meetings.

In relation to a point raised by the Executive Director of Corporate Services, the Forum noted that the JCC for Corporate Services had been established and would incorporate the Chief Executive's Department.

#### **ST. ANDREW'S DAY PUBLIC HOLIDAY**

A report was submitted by the Head of Human Resources and Organisational Development providing an update on the associated costs of providing St. Andrew's Day as an additional public holiday and an appraisal of the possible political implications and impact on the Council.

Following discussion, it was agreed that a report would be provided to the next meeting of Council requesting that Council consider providing employees at West Dunbartonshire Council with an extra day public holiday to celebrate St. Andrew's Day as provided to employees of the Scottish Government.

## **PERFORMANCE AND PERSONAL DEVELOPMENT**

A report was submitted by the Head of Human Resources and Organisational Development providing information on the policy for personal development plans of all employees within West Dunbartonshire Council.

Following discussion and having heard the Executive Director of Corporate Services and the Manager of Organisational Development in further explanation and in answer to Members' questions, the Forum agreed:-

- (1) to note that management would consult and engage with Trades Unions on the whole process in relation to the revised framework for personal development plans; and
- (2) to note the concerns of the Trades Unions over any future linkage between personal development plans and the disciplinary process.

## **TRADE UNION ISSUES**

Note: Councillor Black declared a non-pecuniary interest in the undernoted item and took no part in the discussion.

### Cover for Janitorial Staff – Holiday Period

Having heard Mr Courtney, it was noted that there were concerns over the rate of pay for staff covering for janitorial staff during the holiday period.

After discussion and having heard the Executive Director of Corporate Services, the Forum agreed that the issue be raised with the Executive Director of Housing, Environmental and Economic Development. It was noted that the issue had previously been raised at the JCC and the JCF prior to being referred to management.

### Recruitment Practices

The Forum heard from Miss McLafferty who advised that there were serious concerns with the number of employees being promoted without posts being advertised on either a restricted basis or open in the authority.

After discussion and having heard the Executive Director of Corporate Services in answer to Members' questions, the Forum agreed that a circular be sent to all managers to remind them of the requirement to adhere to the Council's Recruitment Policy at all times.

### Pay Increase – 2006/2007

In relation to a point raised by Mr Conroy, the Forum noted that the 2006 craft pay award for DLO employees had not yet been paid.

After discussion and having heard the Executive Director of Corporate Services in answer to Members' questions, it was agreed that the Executive Director of Housing, Environmental and Economic Development be requested to attend the next meeting of the Forum to address the issue.

#### Pilot Project – Night Cleaners

In relation to a point raised by Mr Conroy concerning the outcome of the Night Cleaners Pilot Project in Clydebank, it was agreed that a report on the issue be provided to the next meeting of the Forum.

### **STANDING ITEMS OF BUSINESS**

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

- (i) Appeals Committee Hearings; and
- (ii) Training and Development.

#### **Best Value**

The Forum heard from the Executive Director of Corporate Services who provided an update on the progress of the Best Value Improvement Plan by the Improvement and Efficiency Executive. The Executive Director of Corporate Services referred to the report submitted to Council on 25 June 2008 and thereafter the Forum noted the position.

Mr Conroy referred to the decision of Council at its meeting on 25 June 2008 in relation to Single Status. The Forum noted the Trades Unions concerns that there had been no consultation with the Trades Unions in relation to the use of external consultants prior to the meeting of Council.

#### **Budget Planning**

Having heard the Executive Director of Social Work and Health, the Forum noted that there was a requirement to look at any financial burdens being carried by the Council over the next few months and that Trades Unions would be involved in longer term budget planning.

In relation to a point raised by Mr Paterson and having heard the Executive Director of Corporate Services, it was noted that a recruitment freeze had been put in place for the foreseeable future.

In relation to a point raised by the Manager of Legal Services, it was noted that a report on the standing items of business would be provided to the next meeting of the Forum to ensure relevance of the standing agenda items.

## **Single Status**

The Forum heard from the Executive Director of Corporate Services who provided an update on the progress of the Single Status process. It was noted that management were keen to progress the harmonisation of Terms and Conditions of Service at the highest rate as requested by the Trade Unions.

## **Health and Safety**

A paper was submitted by the Head of Human Resources and Organisational Development providing information on the Healthy Working Lives Smoking Policy Assessment Tool.

Having heard the Manager of Organisational Development in explanation of the Assessment Tool, the Forum noted that management would be consulting with employees on changes to the Council's Smoking Policy to progress with the achievement of the Staff Health Award.

## **DATE OF NEXT MEETING**

It was agreed that the next meeting of the Forum would be held on Thursday, 25 September 2008 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 3.20 p.m.